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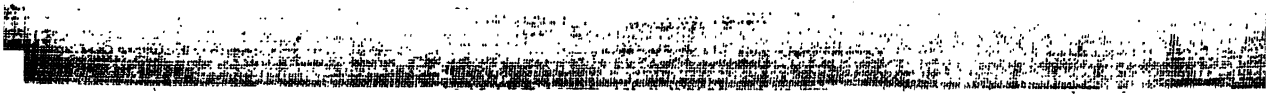
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# American Trade Unionism

George M. James

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# American Trade Unionism

By

GEORGE M. JANES, PH.D.

Professor of Economics, Washington and Jefferson College
Author of *The Control of Strikes in American Trade Unions, The Pilgrim Spirit and Other Essays*, Etc.




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# EDITOR'S PREFACE

IN VIEW of the railroad and coal mine strikes the policy of trade-unions, as well as their organization, becomes a matter of public importance. Just how far are the industrial wars of today due to unorganized labor, how much to the trade-unions? While this book does not answer these questions it does lay the foundation for a better knowledge of the trade-union and the part it plays in industry. Professor Janes has been a long time student of labor conditions and has written an interesting book that should prove of great assistance to those interested in the trade-union of today.

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# AUTHOR'S PREFACE

THE aim of this little book is to present as clearly as possible within the space allowed the salient features of American trade-unionism. Like all social movements which excite the hopes and fears of men, trade-unionism has more often been the object of passionate denunciation or defense than of scientific inquiry. But whether we like it or not the organized labor movement in some form has evidently come to stay. There are no labor problems in a backward country like Turkey, where *re*pression and not *ex*pression is the rule. The trade-union movement is at least an expression of life and a desire for something better on the part of the laborer, and that is one reason among others why it is found in advanced industrial countries like England and the United States. Differences of opinion concerning most subjects are usually the result of ignorance, and definite knowledge concerning any subject is at least the beginning of wisdom.

The material for this study has been gathered from trade-union documents, by personal observation through attendance at trade-union conventions, and by correspondence and interviews with trade-union officials, as well as by reading various books on

the subject. In a word, a consistent effort has been made to verify all facts educed and conclusions reached.

The author is indebted to the *Annals of the American Academy* (January, 1917), and the *Quarterly Journal of the University of North Dakota* for permission to use materials from articles contributed by him to these journals. He also desires to express his thanks to his wife for unfailing sympathy and for valuable assistance rendered.

GEORGE M. JANES.

Washington, Pennsylvania, July 15, 1922.

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## THE NATIONAL SOCIAL SCIENCE SERIES

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# AMERICAN TRADE UNIONISM

# American Trade Unionism

## CHAPTER I

### THE NATURE OF TRADE UNIONISM

A STRIKING paradox in American life is seen in political democracy with its equality of all men — in theory at least — on the one hand, and what may be termed absolute monarchy or despotism in industry on the other. The prevalent idea has been, and to a large extent is today, that a man's business is his own, that he can run it to suit himself, and that the relation between employer and employee is one of master and servant. Wages, hours of labor, and conditions of employment under such a theory are fixed by the employer, and if the worker as an individual bargainer is not satisfied, his remedy lies in seeking another job. Such paternalism, when the employer works along with his employees or knows every one of his workmen personally, may be tempered by humanity, but in the present stage of industrial development with its large-scale production and corporate organization, the individual is lost

sight of and becomes a mere cog in the machine. Organization in industry has necessarily its counterpart in the organization of workmen in trade-unions.

The growth of trade-unionism in the United States on any considerable scale began about the time of the Civil War and thus has been coincident with American industrial development. The development, organization, and financial resources of trade-unions has been quite marked since 1880 and more especially so since 1897. The fact is that it is only during the last twenty-five years that trade-unionism has come to be recognized as a permanent feature of American industrial life, and that collective bargaining and agreements between employers and trade-unions representing the workers has become the usual method of procedure in a number of industries. In some circles, however, trade-unions are still regarded as merely the result of the work of irresponsible agitators and as such something to be attacked and crushed; but a careful study of the growth and development of trade-unionism in both England and America shows that it is in reality a social movement. Another fallacy is that labor unions foment strikes and that striking is the reason for their being. To this the trade-unionist says: "Young and weak unions have many strikes; old and strong ones have few. If unions were mere striking machines, the opposite would be true." The importance of moderation is insisted upon by most labor leaders.

Collective bargaining is the ultimate goal of nearly all labor leaders, and to reach it not only organization but discipline is needed. The strike is a weapon of last resort in most cases.

### 1. *Historical Development*

The Federal Society of Journeymen Cordwainers, organized in Philadelphia in 1794, is regarded by some authorities as the first American trade-union. Other organizations called trade societies existed, but very little is known concerning them. The consensus of opinion seems to be that previous to 1825 none of the organizations were trade-unions in the modern sense. The Mechanics' Union of Trade Associations organized in Philadelphia in 1827 is said to be the first union or association of trades-unions in the United States. Various local unions or trade societies united in other places and formed general organizations during the next ten years. "Modern trade-unionism as an industrial and political force," says Professor Commons, "began with the coming together of previously existing societies from several trades to form a central body on the representative principle." The trade-union movement grew to considerable proportions until checked by the panic of 1837. This early movement was almost unknown until brought to light in recent years by the investigations of Professor Commons and other economic scholars. In making inquiries concerning this former

trade-union movement one investigator received the reply: "The laborer did not need a union in those days; he had access to free land." But, as a matter of fact, trade-unionism existed and attained considerable proportions even when the laborer could resort to free land when dissatisfied with his wages. The decade from 1840 to 1850 was marked by what may be called a wave of humanitarianism. All sorts of reforms and panaceas for social ills found their earnest and sincere, if not wise, advocates. Not until about 1850 did the workers cease from seeking panaceas and begin to work for the more practical and prosaic purposes of increasing wages and bettering working conditions. The present-day unionism began in this period. This is indicated in the following table of some leading existing trade-unions and the dates of their organization:

| | |
|---|---|
| Typographical Union | 1852 |
| Journeymen Stonecutters | 1853 |
| United Hatters | 1854 |
| Iron Molders | 1859 |
| Locomotive Engineers | 1863 |
| Lake Seamen's Union | 1863 |
| Cigar Makers | 1864 |
| Operative Plasterers | 1864 |
| Bricklayers and Masons | 1865 |
| Railway Conductors | 1868 |
| Locomotive Firemen | 1873 |
| Machine Printers | 1873 |
| Iron and Steel Workers | 1876 |
| Glass Bottle Blowers | 1876 |

Granite Cutters .....1877
Spinners' Union .....1878
Carpenters and Joiners.....1881

"An examination of seventy-four of the leading unions of the present day," says Professor Groat, "shows that four were formed prior to 1860. Six were organized during the decade 1860-1869. In the seventies six more were founded. Prior to 1880, sixteen were permanently established."

The Bricklayers', Masons', and Plasterers' International Union organized in 1865 is one of the older unions and has had quite a typical development. Agitation for a national union had been carried on for some time by the various local unions and finally a call was issued by the bricklayers' unions of Philadelphia and Baltimore for a meeting for the formation of a national union. They had become assured that such a union was an absolute necessity for the protection and welfare of the craft at large and so took the initiative in calling a conference. In accordance with arrangements agreed to, each union elected a committee of five to meet in conference to consider the formation of a national union. The conference was held in Painters' Hall, Philadelphia, October 16, 1865, and lasted two days, during which time an effective organization was made, a constitution adopted, and a board of officers elected. The secretary was directed to communicate with all known local bricklayers' unions throughout the United

States requesting them to send representatives to the coming convention to be held in Baltimore in January, 1866. At this convention delegates were in attendance from local unions of Philadelphia, Baltimore, New York City, Brooklyn, St. Louis, Cincinnati, Jersey City, and Richmond. This meeting stands for the effective organization of the national union. Here resolutions concerning the eight-hour day and the general movement for the reduction of the hours of labor were introduced, discussed, and adopted, and an address to the wage-workers of the country, especially the skilled laborers, was sent forth. The name chosen was the International Bricklayers' Union of North America, but this was changed at the 1868 convention held in New York City to the National Bricklayers' Union. The masons were included and in 1883 the name became the Bricklayers' and Masons' International Union of America. Then, when the plasterers were included the name was again changed in 1910 to the Bricklayers', Masons', and Plasterers' International Union. Up to 1872 the national union grew rapidly and then from 1873 to 1880 a period of decline ensued. The union was hard hit by the panic of 1873 and only a few local unions and a skeleton organization of the national union weathered those years of depression. A virtual reorganization took place and since 1881, the growth has been quite marked. The panic of 1893, unlike that of 1873, was weathered

with comparatively little diminution of strength. The use of arbitration and the special deputy in settling disputes has had quite a marked development in this union.

### 2. *Definition and Classification*

The question now arises, What is meant by a trade-union? A trade-union may be defined as an organization of workers of the same trade or several allied trades for the purpose of securing by united action the most favorable conditions obtainable as regards wages, hours of labor, and better working conditions for its members, every member contributing a stated sum to be used for defense and insurance purposes. Emphasis, also, should be placed on the fact that a trade-union is a continuous association and not merely a temporary mass meeting brought about by a single grievance and, also, that this continuous association is made up of wage-earners who have a common purpose. A trade-union, then, endeavors to regulate or control the industrial and governmental conditions under which its members work and live. Changing conditions have brought about new methods and, while the aim has remained the same, a trial and error policy of adaptation has enabled the trade-unions to both maintain and improve conditions of employment for their members.

Trade-unionists recognize both an identity and a

diversity of interests between employers and workers. A trade agreement, for instance, in its making involves a diversity of interest, but when made and put into operation, the success of the business is based on its favorable carrying out by both sides. Profits and wages both arise out of production. In the making of an agreement the employer seeks as low a wage scale as possible and the union as high a wage scale as possible. This bald statement is not strictly true for there is on the one hand an irreducible minimum or subsistence standard below which the unionist cannot go and on the other hand there is a maximum wage above which the employer cannot go without foregoing all profit. Between these upper and lower levels there is room for bargaining, and when both employers and employees are organized, an approximately satisfactory wage scale for the time being at least may be reached by collective bargaining. Trade-union policy is frankly an opportunistic and not a revolutionary one, the present industrial order is accepted not as perfect but as one susceptible of improvement. The best obtainable terms of employment are to be sought. With the exception of the Industrial Workers of the World and a few organizations strongly tinged with the doctrines of socialism, American trade-unionism may be fairly comprehended under the term "business unionism."

Another classification is that one worked out by Professor Hoxie who distinguished five union types—

***business*** unionism, ***friendly*** or ***uplift*** unionism, ***revolutionary*** unionism, ***predatory*** unionism and ***dependent*** unionism.[1] The terms define themselves and the point made is that these various kinds represent forms of group psychology — abiding reactions to the wage system and not mere temporary aberrations from a single type. There is no doubt that at the time Professor Hoxie wrote, his classification was founded on apparent examples and furnished a good working basis for a descriptive account of American trade-unions. But his theory goes much further and asserts that the other forms are not mere temporary variations of that type — business unionism — which other students have regarded as normal. The classification is an interesting one but needs definite verification from the history of trade-unionism. The Industrial Workers of the World according to their own testimony are in a class by themselves outside of regular trade-unionism. The Bridge and Structural Iron Workers under the McNamara régime resorted to violence, but during the last ten years have been a business union. The payment of the salaries of officials of one trade-union by a stronger does not make the weaker union a dependent one permanently. The Shingle Weavers' Union, for instance, received aid from the American Federation of Labor, as shown in the following chapter; the arrangement was, how-

[1] *Trade Unionism in the United States*, by Robert F. Hoxie, pp. 45-52.

ever, only a temporary one. The Amalgamated Clothing Workers of America although not associated with the American Federation of Labor and including in its membership many socialists is on the side of results gained for its members a good example of practical business unionism.

Extreme and radical trade-unionism works out its own destruction, and, in the long run, age and closer organization brings about a conservative policy. Like all human institutions, trade-unions have emotional and reasonable, radical and conservative men in their membership. The differences, however, between trade-unions is in reality no greater than those which exist in the business world with the reliable merchant at the one end and the "fence" receiving stolen goods at the other. Take, for example, the so-called predatory union, whose officials use their position for extorting money for their own pockets from the employers — especially contractors — by threatening strikes, or for terminating strikes. These officials run their course and are finally landed in jail along with other thieves from the business and political world. The union must then put its house in order in the same way that a bank must whose officers have stolen its funds. The greater number of trade-unionists like the great mass of business men are trying to better their economic condition and have the same average ideas of ethics and justice as their neighbors. The fact of the matter is that a single

union may at different times according to circumstances, or as radical or conservative members are in control, exemplify all five types of unionism, but, nevertheless, be in essence and in the long run a business union.

### 3. *Aims and Ideals*

The idealist complains that trade-unionism is too matter of fact, that it is prosaic, that it is without a program, and that it is a mere bread-and-butter movement. To these charges the trade-unionist replies that trade-union policies and ideals are the result of hard experience, that no permanent benefits for the worker can come without organization, and that permanent organization can be built up and continued only when the workers receive direct economic benefits. The payment of dues and continued organization are conditioned on benefits received and, taking the industrial world as it is, any other than an economic policy would be suicidal. The extreme idealist should remember that one of the primary duties of every man is to earn a living. Thus the objects of the United Brotherhood of Carpenters and Joiners are:

> To discourage piece work, to encourage an apprentice system and a higher standard of skill, to cultivate feelings of friendship among the craft, to assist one another to secure employment, to reduce the hours of daily labor, to secure adequate pay for our work, to furnish aid in

cases of death or permanent disability, and by legal and proper means to elevate the moral, intellectual, and social condition of all our members, and to improve the trade.

The hard, stubborn fact is that the average trade-unionist is a conservative and an opportunist, and not a radical. He is mildly in favor of certain restrictive and regulative laws, such as those concerning child-labor, women's hours of work, and accident compensation; but, for the most part, he is not interested in socialistic or doctrinaire programs.

## CHAPTER II

### ORGANIZATION AND GOVERNMENT

THE present organization and government of American trade-unions is the result of a considerable period of development. The movement has been from the almost complete autonomy of the local union to the present-day domination of affairs by the national union. The need of discipline has been found and so, with democracy in the choice of officials, there has come about that centralized authority so necessary for the gaining of results. The mass meeting of the shop has given way to the local union and the local union has become subordinate to the national union.

### *1. The Local Union*

The original unit of organization and government in American trade-unions is the local union. The members include the workers of a city or town in a trade or craft like that of the printers, iron molders, and cigar makers. In the railway unions the members are organized, whenever practicable, according to the railroad upon which they are employed. A local union is usually confined in its jurisdiction to the limits of the city or town in which it is located. Workers in outlying districts are sometimes included

when they are too widely scattered to be separately organized.

According to Professor Glocker:

> During the early days of American trade-unionism the journeymen of each craft constituted a fairly homogenous body, and each of the early local societies admitted any worker at the trade living in the territory over which it claimed jurisdiction. The division of labor, the influx of foreigners, and the appearance of women and Negroes in industry have created distinct groups within the craft, however, and have made necessary in many trades the organization of these groups into separate local unions.

The division of labor has led to separate groups of workers in a given industry and each of these groups has to a considerable extent its own organization. Most national unions charter a separate local union for each of the most important branches of the trade in the large cities, and in the small places unite all members in one union. Examples of this are found in the Boot and Shoe Workers' Union, with separate local unions for cutters and lasters, and in the Ladies' Garment Workers' Union with some six divisions according to the kind of garment made. But on the other hand, many national unions do not permit a subdivision of their membership. The local unions are usually organized into national unions. The local unions of a city or district may also be federated in a city council or district union.

### *2. The National Union*

Like the states in the United States, the local unions in some instances preceded the national union, and in other and more numerous instances, were organized by the national union. Most of the national unions grew out of the combination of a few local unions. The terms national union and international union designate the central organization and are the same in meaning, only that an international union includes local unions in Canada or Mexico while a national union is confined to the United States. The rules of the Glove Workers, for instance, provide that the organization shall be known as the International Glove Workers' Union of America, and shall consist of an unlimited number of local unions composed of persons actually engaged in the occupation of the making of gloves or mittens — cloth or leather — and who acknowledge the jurisdiction of the international union.

The national union thus lays claim to certain definite and specific kinds of work that its members may do to the exclusion of members of other unions. These claims to jurisdiction are especially minute in the building trades and give rise to numerous disputes as to what union should have control over certain pieces of work. The Brotherhood of Carpenters, for instance, claims

all journeymen carpenters and joiners, stair builders, shipjoiners, millwrights, pattern makers, bench hands, cab-

**inetmakers, car builders, or operators of woodworking machines . . . . whether employed on the building or in the preparation and manufacture of the material for the same.**

**The claims to jurisdiction are for the purpose of bringing into the union all those engaged in that line of work and at the same time of warning members of other unions not to infringe upon this field.**

### *3. Government*

**An analogy may be drawn between the development of government in the United States and that of trade-unions. The division of power among the several states and among the local unions is alike, while the federal government and the national union both have grown in power at the expense of the states and the local unions. The movement has been from states rights to nationalism, from local autonomy to domination by the national union, and from a decentralized to a strongly centralized form of government.**

### *4. Local Government*

**The government of the local union is a pure democracy, every member having a vote. The whole body of members coming together twice a month or once a week is the final authority for the transaction of all business — legislative, executive, and judicial.**

The general meeting may adopt amendments to the by-laws, may suspend or expel a member, may order the purchase of furniture or other articles, or, in some cases may declare a strike.[1]

The need of executive action between meetings has given rise to certain standing committees, the most important of which is the executive committee. This committee exercises a wide though varying number of specially delegated powers, but any of its decisions may be overruled by the local union. Another important committee of the local union is the judiciary or grievance committee, which considers charges. Sometimes a special committee is created when a member is brought to trial. Another standing committee is the membership committee; another is the finance committee, one of whose most important duties is to audit the accounts of the officers having charge of the funds.

Local union officers usually include a president, who presides at the meetings of the organization, a vice-president, a recording secretary, and a treasurer. There is also in some unions a financial secretary who keeps account of receipts and expenditures. Sometimes the offices of secretary and treasurer are combined, especially if the local union is small. The local officers are usually unpaid, or are paid a nominal sum and continue to work at their trade. In

[1] Free use has been made of the admirable monograph, *The Government of American Trade Unions*, by T. W. Glocker.

some of the larger unions like the Cigar Makers, which pay a variety of benefits, the financial secretary receives a salary but in such case he usually devotes all his time to the work.

Another local executive officer who is paid is the walking delegate or, as the trade-unionist prefers to call him, the business agent. This official is a local officer elected by popular vote, for a term ranging from three months to a year, usually holding office for six months. He acts as the representative of the union in dealing with the employer. In this capacity, it is for him to see that the union rules are not violated by the employers, to present grievances to the employers, and in general act as an intermediary between the men and the employers. He is expected to maintain discipline and to look after the financial affairs and general interests of the union, to see that members attend the meetings, pay their dues, and keep the union rules, he also solicits men to join the union. The business agent is at an advantage in that he is not dependent on the employer for his salary and so is able to cope with him on more equal terms than a committee of workers, who might be regarded as troublesome agitators to be discharged at the first favorable opportunity. Efficient bargaining power with an employer requires not only native shrewdness but also a practical knowledge of costs of production and of industrial conditions which can be gained only by business experience. The business agent thus be-

comes in a sense not only a labor expert but also a business expert.

No union official is more known by the general public than the business agent. The statement that no official is more notorious is perhaps not too strong. Strange to say, however, a large majority of local unions do not employ business agents. Probably more than half the number of such officials are found in local unions of the building trades. The power to call strikes has been given in the building trades to the business agent who can call an immediate strike whenever he finds any violation of the agreement by the employers. The building trades allow strikes without the consent of the local union because the frequent shifting of men from one building to another requires prompt action and also because of the fact that a contract for the erection of a building is usually given to one contractor who sublets to many other contractors. As a subcontractor may work upon a given building for only a few days, prompt action is necessary, and so a sympathetic strike which ties up the whole job is deemed necessary.[1] Frequently this power has been abused and used to extort money from employers. Dishonest business agents have been sent to the penitentiary. For this and other reasons the power of the business agent is being restricted even in the building trades,

[1] Carlton, Frank T., *The History and Problems of Organized Labor*, p. 118.

while in other trades strike control is being vested more and more in the national union.

### 5. *National Government*

The continued tendency in American federal government towards making the various states merely administrative units finds a counterpart in the development of government in American trade-unions in respect to the division of power between the national union and the local union. The growth has been towards more and more centralization. In some cases centralization is so complete that local unions are administered according to rules laid down by the national union while in others autonomy is still preserved to some extent by the local union. The causes of this absorption of power by the national union are in brief the need of uniform administration and the need of some authority to enforce discipline. The national regulation of admission requirements is based on the fact that accepting a workman, with a membership card from another local union demands uniform regulations concerning membership. The main causes, however, have been the financing of strikes by the national unions, the negotiation of national agreements with employers, and the establishment of nationally administered beneficiary features. It should be remembered that the national unions exercise specially delegated powers and that all powers not so specially delegated are reserved to the

local unions; but, as has been shown, the national unions have absorbed many powers formerly exercised by the locals.

The national union is the seat of authority and this authority is embodied in the convention, a delegate body made up of representatives from various local unions. The number of delegates from each local union varies, but generally speaking the basis is either equal representation or in proportion to membership. Other systems also prevail, such as a maximum limit to the number of delegates representing one union, proportional representation for unions with less than the maximum number or the basis of representation increases as the delegates of a union increase in number. Some national unions pay the expenses of all delegates in attendance at a convention, while in other instances the expense is divided between the national union and the local unions. In some unions the delegates pay their own expenses. The frequency of conventions varies in different unions from every year to every two years or even a longer period of time. The Cigar Makers, for instance, held a convention in 1912, the first to be held in sixteen years. President Perkins said to the writer that the lapse of such a long period of time between conventions was a mistake which would be avoided in the future. The Iron Molders also held a convention in 1912 after a five-year period. The convention has obvious advantages in that it creates enthusiasm,

engenders discussion, and promotes acquaintanceship among the membership. Leadership is also promoted. On the other hand the convention is an unwieldy body, the length of the meeting is too short, and too much time is wasted. Holding these facts in mind, Professor Barnett says:

> As a substitute for a small and representative council, the convention is an archaic and inefficient institution. In session for only a week, feted on every possible occasion by the entertaining union, with a membership so large as to make deliberation impracticable, the supervision which the convention can give the work of the officers is necessarily slight.

These statements represent the facts, but an entirely satisfactory substitute for the convention is yet to be worked out.

The convention exercises legislative, executive, and judicial functions. By it taxes are levied, appropriations are made, strikes are declared, agreements with employers are ratified, grievances and disputes of local officials are adjusted, and machinery is provided for carrying out its decisions.

The board of officers of the national union is composed of the president, several vice-presidents, a secretary, and a treasurer. The offices of the secretary and treasurer are sometimes combined. The president is the real leader and representative of the union. He is usually elected for one or two years either by the convention or by referendum vote, as

in like manner are the other officials. The vice-presidents vary in number according to the size of the union. The duties of the vice-presidents are to assist the president in various ways and to act as organizers in forming new local unions or as strike deputies in settling disputes. The work of the strike deputy is described in the chapter on Strike Control. The secretary and the treasurer exercise the usual duties of those offices. Short terms and rotation in office have been the usual rule. Some unions have, however, continued their president in office for a number of years. John Mitchell was president of the United Mine Workers for ten years, P. M. Arthur of the Locomotive Engineers for twenty-nine years, Adolph Strasser of the Cigar Makers for fourteen years and his successor, George W. Perkins, for the last twenty years. The salaries paid vary according to the size of the union from a few hundred to several thousand dollars a year and in some instances are as high as seven or eight thousand dollars a year.

The general executive board of a national union is made up of the national officers, including the president, and, in some unions, of additional representatives from the general membership. The functions of the board are both administrative and judicial. An appeal from a decision of the president may be made to the executive board. The board levies assessments, appoints temporary officers, declares strikes, and may remove officers for neglect of duties.

The referendum has been developed among national unions for the purpose of amending the constitution and for the election of officers. Both of these objects are sought by the referendum in the absence of a convention, or the acts of a convention may be submitted to a referendum vote for confirmation. The consensus of opinion seems to be that the referendum has not been an entire success as shown by the small number of votes on many questions submitted but it is at least a democratic method of government.

## CHAPTER III

### THE SHINGLE WEAVERS

THE best way perhaps of obtaining an understanding of trade-unionism in the United States is to trace the development and policies of a single union. This chapter on the International Shingle Weavers' Union is a study at first-hand of a single American trade-union.[1] This national union, while not so old or so large as some of the national unions associated with it in the American Federation of Labor, is a typical union and has recapitulated in its brief history the development in structure and policy found in the older and stronger national organizations. In addition to this, in its membership and activities this organization is confined largely to the Pacific Coast, and this section of the country especially outside of California is an untilled field on the part of the economist as far as trade-union activity is concerned. The manufacture of shingles and lumber is a basic industry in Washington and also, to some extent, in Oregon and

[1] The writer would here acknowledge his indebtedness to Messrs. J. G. Brown and W. H. Reid, former officials, and to Secretary J. M. Norland for documents and information furnished; also to the delegates who courteously extended to him the privilege of attending several conventions of the union held at Seattle and Everett, Washington.

California. The Shingle Weavers' Union in addition to the usual policies and activities of a trade-union presents a very interesting development in an experiment in industrial unionism, a return to the craft system, and then a return again to an industrial form of organization.

The question naturally arises why a worker in a shingle mill is called a weaver and not, for instance, a shingle sawyer, a shingle cutter, or a shingle worker. A shingle, as is familiar to all, is a small, thin piece of wood used for covering the roofs and sides of buildings. It is sawed thinner at one end than at the other, and in shingling, the thick ends of one row are placed so as to overlap the thin ends of the next row. Weaving shingles is the process of dovetailing them together, after they are cut, so as to form the standard commercial bundle of shingles. Shingle makers are called weavers because the work of shingle packers in a measure has the appearance of weaving. The cutting of shingles is done by a machine run by a man called the sawyer. Weaving, or the packing of loose shingles into bunches, the form with which we are familiar, is still a hand process. There has not been a machine invented as yet which supplants the deft hand, the quick eye, and the skilled judgment of the shingle weaver. These weavers are experts. Examine a bunch of shingles (four of these make a thousand, the unit by which shingles are bought and sold) as the carpenter takes

it apart for shingling the roof and one will see the unique process by which the compact bunch has been woven. Now a wide shingle and now a narrow one makes the bunch the exact width, and all day long the weaver stands and swiftly seizes shingle after shingle thrown out from the sawing machine and without any false moves weaves them into compact bunches. The sawing or cutting of the shingles is done by sawyers. A small mill would have only one sawyer and that one would keep several packers or weavers busy. Moreover, the process of sawing is subsidiary to the final process of getting the shingles into the shipping unit or bunch, and so the term *shingle weaver* has been extended by custom till it now applies to anyone who works in any department of a shingle mill.

### 1. *Early History*

The beginning of organization among the shingle weavers seems to date from 1886 when the shingle weavers on the east coast of Lake Michigan became interested in the general movement for the eight-hour day which was then being urged by organized labor throughout the country. The first shingle weavers' union was organized at Muskegon, Michigan, in 1886. Another was formed soon afterwards at Manistee, Michigan, farther north on the lake. This district was at that time a large lumber center as was also Wisconsin. Very little data is at hand

concerning this period, but we are told that the workday in shingle mills at that time was twelve and a half hours. Girls and boys were employed together. Through organization, female labor in the mills was abolished and a ten-hour day gained. The organization was crudely formed and consequently existed for only a few years. Shingle manufacturing had then begun to move west and this was a contributing factor in disrupting the attempt to organize among the shingle weavers of the Middle West. The movement of the lumber industry westward continued, and about 1890 the Puget Sound shingle weavers began to organize. The West Coast Shingle Weavers' Union was formed, with local unions at Ballard, Tacoma, Sedro Woolley, Snohomish, Arlington, and Chehalis, Washington. For several years good industrial conditions prevailed, the local unions grew stronger, and a uniform wage scale was established. Taking a lesson from their employees, the shingle manufacturers of Ballard, Washington, organized an employers' association in 1893 and declared for a reduction of wages. This the employees answered by going on a strike. The panic of 1893 soon followed and "this sounded the death knell of the West Coast Shingle Weavers' Union. Wages went lower than ever before in the history of the shingle industry. In one place a cut of 75 per cent was effected."[1] It was not until eight years later that anything more

[1] See article by W. H. Reid, *Bulletin*, 1915, p. 72.

was done in the way of organization. In April, 1901, an unorganized strike for a wage increase was started at Ballard, Washington, and from there the strike movement quickly spread to other places. About the same time local unions were formed almost simultaneously in the states of Washington, Oregon, Michigan, and Wisconsin. As a result of this activity, a loose federation known as the Grand Council was soon organized.

The International Shingle Weavers' Union of America was organized at Everett, Washington, January 8, 1903. The delegates assembled pursuant to a call of the Everett Shingle Weavers' Union for the purpose of forming an international organization. Some twelve local unions were represented by delegates, and the officers of the Grand Council were given seats. A motion prevailed that all delegates and officers of the Grand Council be entitled to a voice in the proceedings. A resolution was then passed that the Grand Council be abolished and merged into an International Shingle Weavers' Union and that all funds and property of the Grand Council be turned over to the new organization. A constitution was adopted, officers were elected, and *The Shingle Weaver* was chosen as the official organ. All the officers elected were from Washington except one of the vice-presidents who was a member of a local union in Michigan thus giving that section representation.[1]

[1] *The Shingle Weaver*, February, 1903, p. 1.

A charter was issued in March by the American Federation of Labor and the new international union thus took its place in the ranks of organized labor.[1] The further history of the organization will be given not minutely or chronologically, but by a comprehensive examination of the more important phases of its development.

### 2. *Structure and Government*

The structure and government of the Shingle Weavers' Union is much like that of other trade-unions. The primary unit is the local union, then comes the international union, with the peculiarity that the latter is divided into three districts. Like the states in the United States, the local unions in some instances preceded the international union, and in other and more numerous instances, were organized by the international union. The International Shingle Weavers' Union reserves the right to fix, regulate, and determine all matters pertaining to the local unions, while to the latter is conceded the right to make all necessary laws for local government which do not conflict with the laws of the international union. A charter may be issued to seven or more skilled shingle-mill employees in any city or town. Local unions are entitled to representation in the convention of the international union according to the following apportionment: Local unions

[1] *The Shingle Weaver*, April, 1908, p. 8.

with 100 members or less, 2 delegates; for each additional 50 members, or major fraction thereof, 1 delegate. The voting strength of the delegates is one vote for each delegate. Convention expenses of delegates are paid by the local unions they represent. Only members in good standing are eligible to election as delegates or alternates. The president and secretary-treasurer of the international union are delegates-at-large to all conventions, with one vote each, but they cannot be delegates from local unions of which they may be members. The officers of the international union are a president, a secretary-treasurer, and in the district in which the international headquarters are located three vice-presidents: all of these are members of the International Executive Board. The president and secretary-treasurer are salaried officials, while the others are paid according to work done. Voting for officials is done at the meetings of the local unions and the result reported to the international convention which ratifies the same or proceeds to an election if this vote is not decisive. The Executive Board consists of the president, vice-presidents, and secretary-treasurer; this body has general supervision of the business of the international and local unions and is vested with power to carry out its own rulings. Referendum voting has been the rule for some years and the Executive Board has power to name a period of twenty days in which local unions may vote on ques-

tions submitted for referendum vote, and local unions may vote during this time only. All questions are mailed from international headquarters at least ten days prior to the beginning of the voting period. On account of the wide territory included in the shingle industry and the consequent possible divergence in interests, various districts have been established. District No. 1 includes the territory north of the California line and west of the Missouri River. District No. 2 includes the timber districts east of the Missouri River. District No. 3 includes the territory south of the northern California line. Each district has the power to adopt its own wage scale, nominate and elect its own officers. The presidents of districts, so elected, act as general organizers for their respective districts. Each district has power to pass such laws and regulations as do not conflict with the international constitution.[1] District No. 1, on account of the westward trend of the industry, has become the leading one. Of the forty-three local unions contributing to the treasury of the international union from December 1, 1914, to March 31, 1916, thirty-four were located in District No. 1, eight in District No. 2, and one in District No. 3.[2] International headquarters are located in Seattle and so this district and the international union are essentially synonymous.

[1] *Constitution*, 1916; *Proceedings*, 1916, p. 8.
[2] *Report of Secretary-Treasurer*, 1917.

### *3. The Wage Scale*

The making of a wage scale is perhaps the most important part of the work of the international union. The scale is made at the international convention by a committee made up for that purpose. The results arrived at by the committee are reported to the convention and are taken up item by item and approved, disapproved, or amended. The 1914 wage scale, for example, was as follows: Filers, depending on kind of machines, $5.50 to $8.50 per day; sawyers, also depending on kind of machine, $4.50 to $5.50 per day, with provision for piece work if preferred; knee-boltermen, dependent on machine, $3.50 to $5.00 per day, with provision for piece work if preferred; dragsawyers, cut-off-men, and power-boltermen, $3.00 to $3.50 per day; knotsawyers and clippermen, not less than $3.50 per day; jointermen, not less than $4.50 per day; packers, eight and a half cents per thousand for 16-inch shingles, with some exceptions as to machines at certain speed and varying conditions of work when the packer receives more. The wage scale is a minimum scale and does not prevent any member working under unfavorable conditions from receiving more. Marked deviations are, however, made on the advice of the International Executive Board. The wage scale is made up for the year, and after the convention an effort is made to get the employers to accept it. Trade agreements

directly with individual employers have been urged as a policy to be pursued.[1]

The reservation of the right to work by the day or piece is usually made, and this brings up the question which for many years has been a subject of much controversy in this international union. The wage scale committee in 1915 recommended the elimination of the piece system, but a negative vote was registered. The committee, however, said:

> This committee recommends that the convention reaffirm our belief in the abolition of the piece-work system as being detrimental to the best interests of our organization.[2]

The trade-unionist knows by bitter experience that if very high wages are made on piece work, the rate is cut and greater exertion is necessary in order to make what he had made before. The result is a continued speeding up without a break in the vicious circle. Even if the rate is not cut, the speeding up is such that only the strongest can keep the pace. The "speed merchant" as he is called, is young and strong and can stand the pace for a few years, but only for a few years, and then is thrown on the industrial junk heap. One extremist says: "The piece-work system is without doubt the invention of the devil. The system is hideous. Strange as it may

[1] *Proceedings*, 1914, p. 4; 1916, p. 8; 1917, pp. 6, 66.
[2] *Ibid.*, 1915, p. 1.

seem, men otherwise intelligent become fools. Under the piece-work system men willingly and readily consent to a lengthening of the working time and foolishly resent a shortening of the working day, ignorantly thinking that it would cut their wages." [1]

### *4. Collective Bargaining*

The enforcement of the wage scale and thus the recognition of the union — collective bargaining — is perhaps the main end of union organization. The Shingle Weavers' Union has been forced by circumstances to be a militant organization throughout its history. Industrial conflicts are costly to both the union and the manufacturers. President Brown said: "It is not the part of wisdom on the part of either side to settle controversies by the crude method of the strike and lockout. But when either side takes an arbitrary stand and refuses to deal with the other, this means of reaching a decision must be resorted to." [2] From time to time campaigns of what may be called "union busting" have been waged. The idea is given out that unions are a menace and should therefore be crushed. These campaigns are usually waged during periods of hard times, or when there is a suspected weakness in the union organization. The premises seem to be that unionism is the result of the work of a few agitators; an employer has the right

[1] *The Timber Worker*, January 31, 1914, p. 1.
[2] *Proceedings*, 1917, p. 6.

to run his business as he pleases, and, especially, no outside influence is to be tolerated; therefore, all trade-unions should be abolished. One manufacturer writes: "Our great free-born American Republic, apparently, has begun to open its eyes to the fact that it has become a race of slaves and is taking the first steps towards throwing off the union yoke." [1] Still others say that the union is a labor trust and that labor leaders are misleaders and that the eight-hour day and the union shop are all wrong.[2] Organization on the part of employers is a good thing, but on the part of the employees it becomes a menace to our great and glorious country. This idea of absolute monarchy, however, is hardly workable in the light of growing democracy. In England trade-unionism has had a longer history than in this country, and collective bargaining is recognized as the logical method of settling differences, and the employer does not consider it beneath his dignity to bargain with his workmen. The attitude, however, towards the Shingle Weavers' Union, has been for the most part that of open or veiled hostility. A curious paradox is found in the fact that the manufacturers do the exact thing they bitterly denounce the union for doing. For instance, at a meeting of the West Coast Lumbermen's Association at Seattle in July, 1916, at which the writer was present, different

[1] *The Shingle Weaver*, January, 1904, p. 10.
[2] *Ibid.*, May, 1906, p. 5.

speakers argued against the union label and the union shop. The chief arguments against the union shop were that it was un-American, unfair, and discriminatory. Peculiarly illuminating, however, was the plan to get all manufacturers to work together and to buy only from firms standing for the ideas enumerated. A merchant soliciting trade should be asked if his name appears on the directory of union opponents and if not, then no trade. The union shop is bad on the union side because it involves coercion, but on the employers' side the merchant whose name is not in the directory of trade-union opponents should come to time or else lose business. In other words, a blacklist should be made of those not supporting the program of union smashing. It was also apparent that any manufacturer paying more than the association wage scale would be in disfavor with his fellow-manufacturers. The union bogey conjured up by a fertile imagination is indeed fearfully and wonderfully made, but its creators should at least come into court with clean hands. Extremes breed extremes and the extreme animosity shown by some manufacturers is perhaps the reason for much of the bitterness shown at times by trade-unions in the Pacific Northwest.

The increasing concentration of capital in the lumber industry and the organization of the manufacturers into various associations made it increasingly difficult for the shingle weavers—being the only branch of the lumber industry organized and repre-

senting but a small fraction of the men employed — to hold their own against the growing forces on the side of the employers. This condition raised the question of organizing all the workers in the lumber industry. After a good deal of discussion and on the advice of John Mitchell and other labor leaders, it was decided to extend the jurisdiction of the union and to organize all workers in the lumber industry on a departmental plan. The shingle weavers as organized, with those working around shingle mills not previously eligible included, were to constitute one department, the men employed in sawmills were to constitute another department, and the woodsmen, a third department — the idea being to combine in one organization the best features of both the craft form and the industrial form of organization. The convention of 1913 voted to extend the jurisdiction of the union so as to include all wage-workers in the lumber industry. This was approved by the American Federation of Labor, and a charter was granted to the new organization with the title of the International Union of Shingle Weavers, Sawmill Workers and Woodsmen.[1] The official title was shortened at the 1914 convention to that of International Union of Timber Workers. Assistance in organizing the sawmill workers and woodsmen was given by the United Mine Workers while for some time the American Federation of Labor paid the salaries of two

[1] *Proceedings*, 1913, p. 8.

special organizers. The removal of the tariff on forest products, the outbreak of war in Europe, and the consequent depression in business obstructed the growth of the new industrial union and so in 1916 the Shingle Weavers relinquished jurisdiction over the Timber Workers to another union and became a craft union again under the old name of the International Shingle Weavers' Union. Substantial aid was given by the American Federation of Labor during this period of transition.[1]

### 5. *Strikes*

Strikes by the Shingle Weavers' Union have been frequent, some being successful and others unsuccessful as in the history of other unions. A strike is usually the weapon of last resort in enforcing the recognition of the union, the acceptance of a wage scale, or the establishing of better working conditions. The Shingle Weavers found by experience that many manufacturers would be fair and grant reasonable demands but for the coercive tactics of one or two large manufacturers.[2] In such cases the strike is the only resource. A typical strike in its inception, although with a tragic accompaniment, was the Everett one of 1916. The convention of 1916 reenacted the 1914 wage scale (outline in another paragraph) with slight modifications. Many

[1] *Proceedings*, 1916, p. 8; 1917, p. 18.
[2] *The Shingle Weaver*, July, 1906, p. 1.

manufacturers accepted the scale and continued operation. Some twenty shingle mills in Everett and some in other places refused, however, to raise wages by restoring the 1914 wage scale. Beginning in May there ensued a long and bitter struggle continuing for almost a year. Like all industrial struggles, it was costly to both the union and the manufacturer. The union persisted in the fight although its membership was at the lowest ebb, and in spite of the fact that it was entirely without funds, and that industrial conditions were none too good.[1]

The struggle at Everett, because of certain incidents, ceased in its course to remain an ordinary although long-drawn-out strike, but became in its essence a social struggle marked by turmoil and murder. Lines were tautly drawn with the strikers on one side and the manufacturers on the other; it was either all black or all white with no neutral shades. Disputes arose as to picketing and the making of speeches on certain street corners. The use of certain areas for gatherings or for speech-making was forbidden. The assertion was made with some evidence of truth that the manufacturers had usurped the powers of the city government and were running the city through the Everett Commercial Club. Into this state of affairs the Industrial Workers of the World, those storm birds of the labor world, projected themselves without leave or invitation from

[1] *Proceedings*, 1917, p. 6.

anybody. Gathering together in considerable numbers they appeared in Everett and began to exercise the right of free speech so dear to the heart of a radical especially when it is forbidden. The irate citizens thereupon compelled them to run the gauntlet of clubs and sticks and drove them out of town with the command not to return. The I. W. W.'s, bruised and battered, threatened vengeance and said they would put Everett "on the map." The next Sunday, November 5, 1916, a number of them came to Everett on the daily boat from Seattle. A considerable number of citizens and officials were there ready to meet them and as the boat neared the docks shots were fired and a number on both sides were killed. Which side fired the first shot was never legally determined. One man out of seventy-five workers arrested was brought to trial and the result was a verdict of not guilty. The other cases were dropped. The defendant and his fellow-prisoners secured the sympathy of organized labor and of some citizens, not because they were I. W. W.'s, but because whether rightly or wrongly these groups viewed the case as one of free speech and the right of peaceful assemblage, or, at any rate, they condemned the lawlessness of the self-constituted citizens' committees which led up to the tragedy.

As a matter of fact, there is little in common between the Industrial Workers of the World with their revolutionary program, and a business union like the

Shingle Weavers' Union. The officials of the Shingle Weavers' Union complain that the union has had no important contest with the employers in years, but this so-called organization has taken an uninvited part always with ensuing disastrous consequences. One official says: "Organizers in the efforts to collect dues find a great handicap in places where there are one or two members of the I. W. W. They are even worse than scabs, for scabs will, as a rule, keep their mouths shut. An I. W. W. never will. I hope it may be possible for this convention to take some action that may define the position we should take with the membership of this organization."[1]

The following rule was passed:

> Failure or refusal upon the part of any member of the I. S. W. U. of A. to cease membership in the Industrial Workers of the World can only be construed as violation of the laws of this union and must be followed by revocation of his card in the International Shingle Weavers' Union of America.[2]

### 6. *The Eight-Hour Day*

The eight-hour day as an ideal to be worked for has been emphasized throughout the development of the Shingle Weavers' Union. Back in 1906 the slogan read: "Eight hours and day's work." But on account of various circumstances the ten-hour day

[1] *Proceedings*, 1917, pp. 10, 17.
[2] *Ibid.*, 1917, p. 75.

prevailed. In 1917 the conditions seemed advantageous for securing a reduction of hours. The Everett strike had passed into history, war work was creating a demand for labor, and the shingle industry was recovering from the long depression. Accordingly, the regular convention and a special convention in 1917 declared for the adoption of the eight-hour day with wages in accordance with a revised scale. Along with this request, recognition of the union and the hiring of men not secured in the immediate vicinity of the mill through the International Employment Office located in Seattle was asked for. The reasons given for this action were substantially as follows:

1. The eight-hour day is now quite generally observed and applied in all specialized industries.

2. The shingle weavers now do in practically all cases 50 per cent more work and in some cases 100 per cent more in each day than was done with the same machinery and with usually better timber twenty years ago.

3. The industry is now in a prosperous condition and the introduction of the eight-hour day would in no wise be burdensome to the employers.

4. It is more than likely that as many hours each year could be worked on an eight-hour day basis as on a ten. In fact it is more than probable that the eight-hour day would exert a stabilizing influence on the whole industry.

5. To these economic arguments must be added the bad effects on the health of the worker of the long hours in the poisonous cedar dust.

A number of mills went on the eight-hour basis and other mills gradually followed suit and the eight-hour day was finally attained. The movement also spread into other branches of the lumber industry and involved larger issues growing out of the need of war products by the federal government a consideration of which would lead too far afield for the purposes of this study.[1]

Changed industrial conditions that put a premium upon shingle weavers and made the ruling wages higher than the international union scale promoted a revival of union spirit. Several new local unions were formed, and the Shingle Weavers' Union entered on an era of growth and prosperity. The same thing was true concerning the International Union of Timber Workers which had become a separate organization in 1916. The feeling grew that these two international unions should be amalgamated and thus form one union with undivided strength. Accordingly a joint convention of the two unions was held in March, 1918, and an amalgamation was brought about. The name of Timber Workers was taken and the old 1914 constitution of the Timber Workers, with some changes, was adopted by the new organiza-

[1] *Proceedings of Special Convention*, 1917, and *Circular Letter*.

tion. The belief seemed to be that "the opportunity for better understanding of needs of the men in the mills and camps will be augmented by the closer relationship which will come as a result of this amalgamation." [1] The International Shingle Weavers' Union of America thus ceased to exist as a separate union but its aims and policies outlined in this study persist in the larger organization of the International Union of Timber Workers.

[1] *Proceedings of Joint Convention,* 1918, pp. 3-6.

# CHAPTER IV

## THE AMERICAN FEDERATION OF LABOR

AS THE local unions are organized into national and international unions along single trade lines, so the national and international unions are combined in the American Federation of Labor which is a loose federation of unions. The Federation was organized in 1881 and in a few years supplanted the Knights of Labor which was a universal labor union. The primary basis of organization recognized is the trade or craft. The Federation has thus emphasized the autonomy of the national and international unions.

### *1. Structure*

The essential feature of the Federation is the establishment of national and international unions based upon a strict recognition of the autonomy of each trade. Membership is confined to trade groups and does not embrace individuals directly. It consists of such trade and labor unions as shall conform to its rules and regulations. Delegate bodies known as city centrals and state branches are provided for. A *city central* or a *central labor union* is a delegate body made up of representatives from the various local unions of the city or vicinity whose national or

international organizations are affiliated with the American Federation of Labor. A *state branch* or *state federation* is made up of delegates from local unions, city centrals, and various councils.

Another division of the Federation is that of departments composed of national and international unions of the same industry which are affiliated with the Federation. Local unions of which there are not enough to form a national union may affiliate directly with the Federation. These bodies are known as *local trade* and *federal labor unions*. Thus the list of organizations affiliated with the Federation April 1, 1921, was as follows:

| | |
|---|---|
| National and International Unions..... | 109 |
| Departments ..... | 5 |
| State Branches ..... | 48 |
| City Centrals ..... | 970 |
| Local Trade and Federal Labor Unions.. | 987 |
| Total Number of Unions..... | 2,119 |

The 109 national and international unions represent 37,000 local unions. The total paid-up membership reported at the convention of 1920 was 4,078,740. The real membership is probably somewhat larger, as some of the local unions are what is known as "tax dodgers" and do not pay dues for their full membership. Several national unions are not affiliated with the Federation and their membership would swell the number of trade-unionists. At

this writing, June, 1921, it may be roughly estimated that between five and six million wage-earners are members of American trade-unions.

### *2. Government*

The source of authority of the Federation is the convention which meets annually on the second Monday in June. The basis of representation in this convention is: for less than 4,000 members, 1 delegate; 4,000 or more, 2 delegates; 8,000 or more, 3 delegates; 16,000 or more, 4 delegates; 32,000 or more, 5 delegates, and so on. All dues, however, must be paid. The vote at the convention is by division or a show of hands, but if a call of the roll is demanded by one-tenth of the delegates present each delegate casts one vote for every one hundred members or major fraction thereof which he represents. No city or state federation is, however, allowed more than one vote. Departments, city centrals or federations, state branches or federations, and local trade and federal labor unions are allowed one delegate each. Federal local unions located in one city may unite and send one delegate.

The International Typographical Union at the convention of 1919 was represented by 6 delegates and had 108 votes for each delegate except the sixth who had 107, or 647 in all. The Brotherhood of Carpenters and Joiners had 8 delegates and 3,079 votes. The Machinists had 6 delegates and 2,546

votes. The United Mine Workers had 8 delegates and 3,938 votes. The Stove Mounters had 1 delegate and 19 votes. The statement has been made that under this system of voting a group of the larger unions control the policies of the Federation and that the more radical members fret over what they term an oligarchical rule.

The complete representation at the convention of 1920 was as follows:

| UNIONS | NAMES | DELEGATES | VOTES |
|---|---|---|---|
| 99 | National and International.... | 328 | 38,704 |
| 4 | Departments ..... | 4 | 4 |
| 29 | States ..... | 29 | 29 |
| 119 | Centrals ..... | 119 | 119 |
| 92 | Trade and Federal Unions.... | 90 | 155 |
| 4 | Fraternal Organizations ..... | 5 | 3 |
| 347 | | 575 | 39,014 |

The officers of the Federation are a president, eight vice-presidents, a secretary, and a treasurer. All elective officers must be members of a local organization connected with the Federation. President Gompers, for instance, is a member of the Cigar Makers' Union. The headquarters of the Federation are at Washington, D. C.

The Executive Council includes all the officers of the Federation. The work of the eight vice-presidents is confined to this council. Besides general administrative work, it is the duty of the council to

watch legislative measures affecting the interests of wage-earners and also to initiate labor legislation under the direction of the convention. The organization of new unions, the unification of all labor organizations for the purpose of mutual assistance in any trade dispute, and the assistance in cases of grievance of all local trade unions holding charters direct from the Federation are also a part of the work of the council.

### *3. Departments*

At present there are five departments subordinate to the Federation. These are the Building Trades Department, the Metal Trades Department, the Mining Department, the Railroad Employees' Department, and the Union Label Department. Each department manages and finances its own affairs, but only organizations affiliated with the Federation are eligible to membership in any department and all rules and policies must conform to those of the Federation. Each department is thus considered as the official method of the Federation for transacting the portion of its business indicated by the name of the department. A quarterly report of work done is made by the officers of the various departments to the Executive Council. Besides this, an officer of each department must attend all regular meetings of the Executive Council of the Federation. The Building Trades Department includes some eighteen national

and international unions and a number of local and state councils. Among the unions included are the Asbestos Workers, Bridge and Structural Iron Workers, Carpenters and Joiners, Electrical Workers, Painters, Decorators, and Paperhangers, and Plumbers and Steam Fitters. A large part of the work of this department is the adjustment of disputes with employers and the settlement of jurisdictional disputes between the various unions.

The Metal Trades Department includes such national unions as the Machinists, Blacksmiths, Boiler Makers, Iron Molders, Pattern Makers, and Stove Molders. The formation of local councils and the settlement of trade disputes are some of its functions. During the World War this department increased greatly in membership and did good work in helping to bring about the settlement of a large number of labor disputes.

The Mining Department is made up of such unions as the United Mine Workers, the Mine, Mill, and Smelter Workers, the Brotherhood of Steam Shovel and Dredgemen, and the Association of Machinists. The object of the department is the greater unity of all its workers and the furtherance of the principle that "an injury to one is the concern of all."

The Railway Employees' Department includes those unions of workers on the railroads outside of the brotherhoods, and comprises the national and international unions of the blacksmiths, clerks, boiler

makers, and freight handlers. A department official says:

> The object of this department shall be to enhance the welfare of the railroad employees, to aid in more closely organizing all such employees and to encourage such organizations to affiliate with the American Federation of Labor. It shall be the aim to use its good offices in assisting affiliated national and international organizations in adjusting any dispute arising over a question of jurisdiction.

System federations are organized and the interests of railroad employees looked after.

The Union Label Trades Department includes all national and international unions using union labels, shop cards, and working buttons. The work of the department is to give information where union-made goods can be procured and to persuade union members to buy only such goods. Merchants are also solicited to keep union-made goods. The advertising of label goods is another part of its work. The work has brought good results, but it is said, rather ungallantly perhaps, that most of the buying is done by the women and that the price and not the label controls purchases. Some fifty unions use labels while about ten use cards.

### *4. Functions and Policies*

Contrary to the notion of some people, the American Federation of Labor has no power to

initiate strikes. Such power is confined strictly to the national and international unions affiliated with the Federation. The Executive Council of the Federation has power to declare a levy of one cent per member per week on all affiliated unions for a period not exceeding ten weeks in any one year, to assist in the support of an affiliated national or international union engaged in a protracted strike or lockout. Only in one instance is the Federation connected with the initiation of a strike. The local trade and federal labor unions directly affiliated with the Federation receive financial assistance only when a strike vote has been first authorized and approved by the President and Executive Council of the Federation. These disputes usually involve only local issues.

The settlement of jurisdictional claims — the right to a trade — is, perhaps, one of the most essential questions in the work of the Federation. No charter can be granted to a national union without a positive and clear definition of the trade jurisdiction claimed by the applicant, and the charter is not granted if the jurisdiction claimed is a trespass on the jurisdiction of existing affiliated unions without the written consent of such unions. The Marine Engineers, for instance, received a charter after protests from several national unions as to division of work and an agreement in regard to the same. (See Chapter IX.) A change of name or any extension of jurisdiction by an affiliated union must likewise

be approved by the Federation. These disputes as to what particular union should do a piece of work are a sign of weakness and the remedy seems to be either in industrial unionism or in a closer federation of trades. The various departments of the Federation indicate the trend of development.

For many years the Federation published a list of firms unfair to organized labor under the title, "We Don't Patronize." This in some cases has been held to be illegal. For instance, the Buck Stove and Range Company case arose out of a boycott of the goods of that company. Samuel Gompers, John Mitchell, and Frank Morrison, officials of the Federation, were sentenced to imprisonment for having violated an injunction of the court by publishing the name of the concern in the "Unfair List" or "We Don't Patronize" in the *American Federationist*. A settlement was made with the company but although the case was pushed by the American Anti-Boycott Association, it was finally dismissed upon a technicality by the Supreme Court. The sentence of imprisonment was not carried out. The "Unfair List" has, however, been discontinued in the *American Federationist*.

In conclusion, it may be said that the American Federation of Labor, as it is today, is the result of forty years of development. Its organization along trade lines, a consistent policy of leaving local differences alone, and an emphasis on common interests

have made it the strongest labor organization in this country. Strong leadership is perhaps another reason for its growth. Samuel Gompers has been president since 1884 with the exception of one year —1894. Thus a continuous policy has been carried out. The emphasis has been on the practical— "more now" has been the motto. An opportunistic policy has enlisted the adherence of the rank and file. Politics have been avoided except in the sense of "Remembering our friends and punishing our enemies," and trade-unionists are members of all parties. No line of political cleavage has been allowed to create factions. A distinct labor party under American conditions has been regarded as impracticable although a labor party outside of the Federation has been launched. Socialism has been regarded as visionary. There is, of course, an element which regards the Federation as too conservative, but these people have not as yet been able to get into the saddle. What changes the present unrest in industrial and social life will bring about in the Federation remains to be seen.

## CHAPTER V

### THE INDUSTRIAL WORKERS OF THE WORLD

OVER against the American Federation of Labor stands the Industrial Workers of the World, an antagonistic organization. The I. W. W., as it is generally called, is a radical and revolutionary organization which stands for much the same kind of ultra-radicalism as seen in French syndicalism and Russian Bolshevism. The definite aim of the movement is to unite all workers in "one big union." Trade or craft lines are rejected and all workers are called upon to organize together against the power of capitalism. Industrial unionism and not trade-unionism is said to be the key to the labor problem.

#### *1. Historical Development*

Organized at Chicago in 1905 the I. W. W. was made up of such labor groups as the Western Federation of Miners, the Socialistic Trade and Labor Alliance, the United Metal Workers, the American Labor Union, and the United Brotherhood of Railway Employees, all radical organizations. All workers regardless of craft or nationality were to be admitted. The organization was an attempted union of heterogeneous and incongruous elements. In its early history it was a battle ground for various socialistic

factions and several groups have been eliminated after much bitter struggle. The pendulum has swung from socialistic theory to direct action and anarchistic theory. The idea of having leaders has been repudiated in favor of the "collective membership," but "nevertheless the I. W. W. has been led and misled by leaders ever since its inception." Parliamentary socialists, opportunists, Marxists, anarchists, industrialists, and even craft unionists have all struggled for supremacy.

The socialist politicians, such as Daniel de Leon, Eugene V. Debs, and A. M. Simons were eliminated and the organization repudiated any political action. The revolutionary trend of the movement is thus stated:

> The working class and the employing class have nothing in common. There can be no peace so long as hunger and want are found among millions of working people and the few who make up the employing class have all the good things of life. Between these two classes a struggle must go on until the workers of the world organize as a class, take possession of the earth and the machinery of production, and abolish the wage system.

To this may be added the further declaration:

> Instead of the conservative motto, "A fair day's wages for a fair day's work," we must inscribe on our banner the revolutionary watchword, "Abolition of the wage system." It is the historic mission of the working class to do away with capitalism. The army of production

must be organised, not only for the everyday struggle with capitalists, but also to carry on production when capitalism shall have been overthrown. By organizing industrially we are forming the structure of the new society within the shell of the old.

### *2. Structure and Government*

The unit of organization is the Local Industrial Union. This embraces all the workers of a given industry in a given city, town, or district. Various departments are also created in closely allied industries.

In the general organization the General Executive Board composed of one member from each Industrial Department is given great power and has entire responsibility for the conduct of the affairs of the organization between conventions. This board issues all charters, supervises the entire work of the organization, audits the books of the general office, and levies special assessments. This board or hierarchy constitutes the organization. The system of government is thus a strongly centralized one.

### *3. Policies*

The I. W. W. believe that the ends justify the means and use any and all tactics that will get the results sought with the least expenditure of time and energy. The tactics used are determined solely by the power of the organization to make good in their use. One official says: "The question of right or wrong does not concern us."

The relation between the worker and the employer is regarded in the light of an armed truce so long as the wage system lasts. No agreements covering a period of time are allowed. Strikes are called whenever success is probable and an agreement would prevent a strike during the busy season or a rush period.

The belief is held that the day of successful long strikes is passed. Under all ordinary circumstances a strike that is not won in four to six weeks cannot be won by remaining out longer. An employer can fight one strike lasting six months better than a succession of short strikes.

Force is esteemed as the only weapon by which to gain concessions and if a strike is lost, work should be resumed. Sabotage, or striking on the job, is the policy recommended. Another name for the same thing is "Ca canny," or taking it easy. But even more than that is included, such as throwing a monkey wrench into the machinery or putting sand into the fabric as was done in the silk mills of Paterson. Anything that will cause a loss to the employer is recommended.

The I. W. W. is a militant organization and seldom avoids a conflict. In November, 1909, the authorities of Spokane, Wash., ordered the arrest of all I. W. W. speakers who attempted to hold street meetings. The order was resisted and the I. W. W. members were asked to put Spokane "on the map"

with the result that they poured into Spokane from all directions. Some five hundred were put in jail but more kept coming. A hunger strike ensued. Finally street speaking was allowed by the authorities. The relation of the I. W. W. to the strikes of other unions is described in the chapter on The Shingle Weavers.

### *4. Tendencies*

Private property and the right to private property are regarded as middle-class inventions to be abolished. In the new world arising from a general strike there will be no authority either of the state or of the employers. The workers will be associated in small groups. All work will be regarded as of the same value. This idea is a quasi-anarchistic one and similar to that of syndicalism.

As to the movement, Mr. J. G. Brooks says:

> The I. W. W. taps labor strata not only lower than those of the trade union, but still lower than those from which socialism generally gets its recruits. It appeals to youth, to the most detached and irresponsible, to those free to follow a life of adventure. It appeals to those who rebel at the discipline of the trade-union. It easily becomes a brother to the tramp and the outcast. Every difference which a heterogeneous and unassimilated immigration means for the United States will advantage the I. W. W.

Most students of the organization believe that it has made a good deal of noise and achieved very small

results. Professor Hoxie in a discriminating study says:

> It has succeeded in impressing itself upon the popular imagination as a mysterious, incalculable force likely to appear and work destruction at any time and place. It has terrified the public because its small body of irresponsible and foot-loose agitators scent trouble from afar and flock to the point where social rupture seems to be for the moment imminent. They are like Morgan's raiders. By rapidity of movement and sheer audacity they have created the impression of a great organized force. But in reality they are incapable of anything but spasmodic and disconnected action.

In conclusion, the I. W. W. has always been numerically weak in effective membership; it has been torn by internal conflicts since its first convention; its financial resources are limited and the character of its membership is such that little money can be counted on. At the present time, most of its leaders are in jail or have fled to Russia. The future of the organization is problematic, a destructive program has led it into the wilderness. It has, however, called attention to the conditions of the casual, migratory, and unskilled worker and thus pointed out an acute social problem. Such conditions breed radicalism. Likewise, an employer who refuses to deal with a conservative union may be confronted by a radical organization.

## CHAPTER VI

### COLLECTIVE BARGAINING

NOWHERE is the statement that one man is no man, better exemplified than in modern industry. The expansion of industry has been such that the single worker has become a mere cog in the machinery. A corporation employing ten thousand men may discharge one employee and its working force is reduced only one-tenthousandth while the man thus losing his job is at a loss of 100 per cent. The corporation continues with little diminution of output; the laborer unless he finds another job at once gets no return. The labor of today if it is not employed cannot be kept over until tomorrow. The factory may discharge all its workers, be closed for a time, and then be opened again, and through increased demand or higher prices or both, regain what has been lost.

A president of a great railroad system has said that in the early days of his administrative work, he knew every man on the small railroad over which he was then placed and Jack or Jim could see him at any time. This simple condition has, however, passed in the field of large industry.

Even in a small industry, the individual bargainer is at a disadvantage. John has worked faithfully for

a year or more and thinks he is entitled to an increase of wages. The employer tells him that he can't afford it, that he is losing money, and that instead of raising wages, he is thinking of letting some of his men go. John urges that his department has made a good showing, but the employer declares that the business as a whole is a losing proposition; as, however, John has been with him a long time and is a good workman he will continue to employ him at the same wages as before. John has no other job at hand, so he decides to continue, and may even regard his employer as a kind-hearted philanthropist who is simply in business for the benefit of his employees.

The trade-unionist believes that under present industrial conditions the individual bargainer places himself in the position of a helpless, rudderless craft on a tempestuous sea.

The expansion of industry, the disadvantages of the individual bargainer, and association among employers have, therefore, brought about the trade-union with its insistence on collective bargaining and the idea of industrial democracy. This involves an agreement between the employers and the workers, and includes the fixing of wages, hours of labor, and conditions of employment. This standard, however, is based on as clearly applicable rules of work and pay as possible. A method providing for changes in the character of the work or for the making of new

commodities is usually worked out. An examination of several typical agreements will, perhaps, best show what is involved in collective bargaining.

### *1. National and District Agreements*

The working out of a general agreement involves an employers' association on the one hand and a trade-union or workers' association on the other. General agreements have been worked out, for instance, between the International Typographical Union and the American Publishers' Association; between the Stove Founders' National Defense Association and the Iron Molders' Union; between the Brotherhood of Operative Potters and the United States Potters' Association; between the Amalgamated Clothing Workers of America and the Clothing Manufacturers' Association; and between the United Mine Workers and Coal Operators' Associations.

Collective bargaining in these instances has been successful because both sides meet and thresh out together the various differences and finally reach a working agreement. Such agreements usually provide for the adjustment of all disputes as is shown in the chapter on Conciliation and Arbitration.

### *2. The United Mine Workers*

The collective-bargaining system of the United Mine Workers has been in operation for a number of years and although interrupted by the strike of 1919

is a good example of the successful working out of the trade agreement. An annual joint conference between the mine operators and the representatives of the union has been held and is known as the Interstate Joint Conference. The national union is divided into district unions and, subject to the constitution of the national union and the legislation of the national convention, the district union generally has jurisdiction over a particular state. Under the authority of the national union the various district unions enter into agreements. A typical example is an agreement between the Washington Coal Operators' Association and representatives of the United Mine Workers of America and their District No. 10 as to a scale of prices and rules and conditions for a two-year period beginning in 1916 and also providing that the parties to the contract should meet in Seattle, Washington, on the fourth Monday in July, 1918, for the purpose of formulating another agreement. The agreement applied only to the mines operated in the state of Washington. The right to hire and discharge, the management of the mine, and the directing of the working force are vested exclusively in the companies and the United Mine Workers are not to abridge this right; employees, however, are not to be discharged on account of personal prejudice or union activities. An eight-hour day and a six-day week are provided for with the exception of some classes of workers. A complete day wage scale worked out for employees

both inside and outside the mine. The price of powder is fixed, and rules concerning the furnishing of tools are made. A provision for regular pay days, for the payment in cash at camps where checks cannot be cashed locally at face value and a statement showing in detail the earnings and deductions of each employee are included. The adjustment of all disputes and grievances is to be through conciliation and arbitration. The duties and limitations of the "Pit Committee" are made clear. An interesting feature is the collection of union dues and assessments by the operators who turn them over at stated periods to the officials of the union. Some employees, however, are held to be outside the jurisdiction of the union. A checkweighman representing the workers is provided and is elected by each local union. Penalties are provided for the stoppage of work by a local union or for absence from work by an individual. In a word, an effort is made to provide a working agreement covering all points which may arise from the nature of the industry. Local conditions and the inclusion of independent operators are provided for. The strike of 1919 showed that neither strikes nor injunctions mine coal and that a system of agreements brings about industrial peace.

### 3. *Hart Schaffner & Marx Agreement*

A labor agreement between Hart Schaffner & Marx, clothing manufacturers, and the Amalgamated Cloth-

ing Workers of America has existed for some years, and has been extended to a large part of the clothing industry. The purpose of the agreement beyond the question of wages and hours and the adjustment of difficulties is to bring about a high order of discipline and efficiency based on cooperation and good-will between employers, foremen, union, and workers, so as to prevent misunderstanding and friction and make for good team-work, good business, mutual advantage, and mutual respect.

The administration of the agreement is vested in a Board of Arbitration and a Trade Board, together with such deputies, officials, and representatives of both employers and employees as are chosen.

The Board of Arbitration has full and final jurisdiction over all matters arising under the agreement, and its decisions are conclusive. It consists of three members, one of whom is chosen by the union, one by the company, and a third is the mutual choice of both parties and acts as chairman of the board. Under the agreement of 1916, the former board was continued.

It is the duty of the board to investigate, and to mediate or adjudicate, all matters that are brought before it and to do all in its power to insure the successful working of the agreement. In reaching its decision the board is expected to have regard to the general principles of the agreement; the spirit and intent, expressed or implied, of the parties thereto;

and, especially, the necessity of making the instrument workable, and adaptable to varying needs and conditions, while conserving as fully as possible the essential interests of the parties involved.

The line of practice developed by the board has been continued. Questions of fact and testimony are in the main considered by the Trade Board, while the Board of Arbitration concerns itself mainly with questions of principle and the application of the agreement to new issues as they arise. This, however, is not to be construed as limiting the power of the board, which is broad enough to make it the judge of facts as well as principle when necessary, and to deal with any question that may arise whose disposition is essential to the successful working of the agreement.

By agreement between the chief deputies, cases may be heard and decided by the chairman of the board alone.

The Trade Board is the primary board for adjusting grievances, and has original jurisdiction over all matters arising under the agreement and the decisions relating thereto, and considers and disposes of all such matters when regularly brought before it, subject to such rules of practice and procedure as are now or may be hereafter established.

The Trade Board consists of eleven members, all of whom, excepting the chairman, are employees of Hart Schaffner & Marx. Five members are chosen by

the company and five by the union, and it is understood that these shall be selected in such manner as to be representative of the various departments — cutting and trimming, coat, vest, and trousers.

The board is presided over by a chairman who represents the mutual interests of both parties, and especially the interest of the successful working of the agreement. He presides at the meetings of the board, assists in the investigation of complaints, endeavors to mediate conflicting interests, and in case of disagreement casts the deciding vote on questions before the board. He also acts as umpire on the cutting-room commission, and performs such other duties as may be required of him by the agreement or by the Board of Arbitration.

The deputies are the officers having direct charge of the execution of the provisions of the agreement in the interest of their respective principals. Each of the parties to the agreement has a sufficient number of deputies to take proper care of the work necessary to be done to keep the docket from being clogged with complaints and to insure an efficient working of the agreement. They have power to investigate, mediate, and adjust complaints, and settlements made by the deputies of the parties in dispute are legally binding on their principals. In case of appeal to the Trade Board or Board of Arbitration the deputies may represent their respective principals before these boards, and have power to summon and examine wit-

nesses, to present testimony or evidence, and do such other things as may be necessary to place their case properly before the trial body, and that body sees to it that they are given adequate opportunity and facility for such presentation, subject to the usual rules of procedure.

One of the deputies on each side is known as the chief deputy, and the statement of the chief deputy is regarded as an authoritative presentation of the position of his principal in any matter in controversy. Unless reversed or modified by either of the trial boards, the agreement of the chief deputies in all matters over which they or their principals have authority is observed by all parties.

Each deputy, in order to qualify for duty, must have a commission signed by the proper official representing the union or the company, and this commission must be countersigned by the chairman of the Trade Board. Deputies must be either employees of Hart Schaffner & Marx or persons who are connected with the Joint Board of Hart Schaffner & Marx.

The union has in each shop a duly accredited representative authorized by the Joint Board who is recognized as the officer of the union having charge of complaints and organization matters within the shop. He is empowered to receive complaints and must be given sufficient opportunity and range of action to enable him to make proper inquiry concerning them. When it is necessary for the shop repre-

sentative to leave his place in order to investigate complaints, the foreman may, if he thinks it necessary, ask to be informed of the purpose of his movements, and the representative must comply with his request.

The shop representative is entitled to collect dues and perform such other duties as may be imposed upon him by the union, provided they are performed in such a manner as not to interfere with shop discipline and efficiency. He is expected to represent the cooperative spirit of the agreement in the shop and be the leader in promoting that amity and spirit of good-will which it is the purpose of the agreement to establish. This same cooperative spirit is expected in equal degree from the shop superintendent, who is expected to contribute his best efforts to promote harmony and good-will in the shops.

Two sections of the agreement are concerned with procedure and rates and hours. Methods of settling all disputes are provided and a scale of rates for day work, hour work, and piece work is furnished.

The preferential shop is thus defined:

> Preference shall be applied in hiring and discharge. Whenever the employer needs additional workers, he shall first make application to the union, specifying the number and kind of workers needed. The union shall be given a reasonable time to supply the specified help, and if it is unable or for any reason fails to furnish the required people, the employer shall be at liberty to secure them in the open market as best he can.

In like manner, the principle of preference shall be applied in case of discharge. Should it at any time become necessary to reduce the force in conformity with the provisions of this agreement, the first ones to be dismissed shall be those who are not recognized members of the union in good and regular standing.

The Trade Board and Board of Arbitration are authorized to hear complaints from the union concerning the discipline of its members and to take any action necessary to conserve the interests of the agreement. The union members referred to are those who have joined, or may hereafter join, the Amalgamated Clothing Workers of America.

The important part under working conditions is the following:

> The full power of discharge and discipline remains with the company and its agents; but it is understood that this power should be exercised with justice and with due regard for the reasonable rights of the employee, and if an employee feels that he has been unjustly discharged, he may have appeal to the Trade Board, which has the power to review the case.

Every person suspended receives a written notice directing him to appear at the office of the company for a decision. Every suspension notice properly presented to the discipline officer must be disposed of within six working hours of its presentation, and a definite decision announced to the suspended person.

Loyalty to the agreement is thus stressed by the following five rules:

Experience suggests that there are certain points of strain which it would be wise to recognize in advance and to safeguard as far as possible. Among the points to be safeguarded are the following:

1. When dissatisfaction arises over change of price or working conditions, it is believed that the agreement provides a remedy for every such grievance that can arise, and all complainants are urged and expected to present their cases to the proper officials and await an adjustment.

2. Strain may arise because of unsatisfactory personal relations between workers and officials. The company's officials are subject to the law as are the workers, and equally responsible for loyalty in word and deed, and are subject to discipline if found guilty of violation.

3. Officials of the union are equally under the protection of the agreement when in exercise of their duties as are the officials of the company, and any words or acts tending to discredit them or the union which they represent, or which are calculated to injure the influence or standing of the union or its representatives, shall be considered as disloyalty to the agreement, and the offender shall be subject to discipline by the Trade Board, provided, however, that no reasonable criticism or expression of disagreement expressed in proper language shall be deemed a violation within the meaning of this section.

4. If any worker shall willfully violate the spirit of the agreement by intentional opposition to its fundamental purposes, and especially if he carry such willful violation into action by striking and inciting others to strike or stop work during working hours, he shall, if

the charge is proven, be subject to suspension, discharge, or fine.

5. If any foreman, superintendent, or agent of the company shall willfully violate the spirit of this agreement, and especially if he fails to observe and carry out any decision of the Trade Board or Board of Arbitration, he shall, if the charge is proven, be subject to a fine of not less than $10 or more than $100 for each offense, at the discretion of the chairman of the Trade Board.

Other sections are technical and need not detain us. In conclusion, it should be stated that the agreement grew out of a strike in 1910 which ran for sixteen weeks and was settled by a temporary agreement. Then it was seen that more elaborate machinery was needed for settling complaints, so a process of development has gone on. The workers are mainly Russian Jews, Lithuanians, and Roumanians. The personal element has been an influential factor in the successful working and renewal of the agreement. The members of the firm of Hart Schaffner & Marx are exceptionally broad in vision and experienced business men. Mr. J. E. Williams served as chairman of the Board of Arbitration from its inception until his death and has been succeeded by Professor J. H. Tufts of the University of Chicago. Mr. James Mullenbach is a sagacious and experienced adjuster. The most remarkable personality is, perhaps, Mr. Sidney Hillman, the president of the Amalgamated, whose leadership has built up a strong

union and who, it is said, has been offered business positions at large salaries. Professor Earl Dean Howard of the Labor Department is a trained economist. The agreement has been a success because, aside from the intelligence and machinery provided, there has been a spirit of give and take on both sides. The balance of power has been kept on an even keel. One illuminating incident is that a certain demand although obtainable because the union had the power was withdrawn on the advice of a union official who thought it neither just nor expedient.

Concerning their experience with collective bargaining Hart Schaffner & Marx say:

> Favorable results did not appear at once, but were the natural and legitimate effects of various devices introduced to meet difficult situations as they arose, and of certain principles of fair dealing, into harmony with which we have attempted to bring our business policies.
>
> In addition, the company created a Labor Department. A university professor, trained in economics, was engaged to study the situation and draft a plan for promoting better relations with our employees. At the beginning the task appeared stupendous, as grievances were highly magnified and exaggerated by frequent reiteration of the more radical leaders for the purpose of keeping the war spirit at a high temperature.
>
> This new department, headed by Professor Earl Dean Howard of Northwestern University, gradually assumed certain functions in which the workers had a direct interest and administered them with the main purpose in view. The chief duties of the labor department now

are: the maintenance of a system for the prompt discovery and investigation of any abuses or complaints existing anywhere among the employees; the recommendation of measures designed to eliminate the source of the complaint; protecting the company's interests in the Board of Arbitration and the Trade Board; negotiating with the business agents of the union and satisfying their demands as far as possible; administering all discipline for all the factories (all executives have been relieved of this function); and general oversight of all hiring.

Industrial peace will never come so long as either employer or employee believes that he is deprived of rights honestly belonging to him. Our experience has taught that the business man in authority is a trustee of various interests, including his own, and if he administers his business so as to conserve and harmonize these interests to the best of his ability, he is most likely building an enduring success.

### *4. The New York Lockout*

In the fall of 1920 an apparently concerted movement to break up the Amalgamated Clothing Workers of America was begun in New York City. The Clothing Manufacturers' Association refused to continue relations with the union. A suit was brought by Friedman & Company against Sidney Hillman and other members of the union for illegal picketing and $500,000 was asked for damages. The allegation was also made that the union was a revolutionary organization. The suit, however, was dismissed on the ground that the facts did not bear out

the contentions raised. The Amalgamated Association raised some $930,000 to protect its members in what became both a lockout and a strike. Work continued in Rochester, Cleveland, Chicago, and other clothing centers where new agreements were made and wage reductions accepted after direct negotiations. The result was that the New York manufacturers lost the spring trade. Injunctions don't make pants. Finally in May, 1921, came a break in the ranks of the Clothing Manufacturers' Association marked by the resignation of its president and the withdrawal of the member firms unalterably opposed to the Amalgamated Clothing Workers of America and determined to continue in refusing to deal with the union. The indications point to a resumption of relations between the union and the larger group of firms remaining in the association, with a joint conference board under an impartial chairman. The prospect is that the New York clothing industry will be reestablished upon a firm basis, with a system of self-government providing for the peaceful settlement of disputes as they arise.

### 5. *Conclusions*

Collective bargaining takes many forms and may be embodied in local agreements. In some unions the local agreement must be authorized by the national union. Agreements may be either written or verbal, but must be based on direct negotiation.

The arguments for collective bargaining may now be summarized. Collective bargaining is possible only when the workers are organized and trade-unions seem to be necessary because efforts at collective bargaining through other agencies have failed. The basic principle, then, is the recognition of the union. Employers are associated together and so the workmen must organize. This is now admitted by most people in the abstract at least. The fundamental principle of trade-unionists is a recognition of the fact that under modern industrial conditions the individual, unorganized workman cannot bargain advantageously with the employer for the sale of his labor.

The policy of collective bargaining through trade-unions has justified itself in the benefits conferred upon employees and employers. Collective bargaining has brought about higher wages, shorter hours, and better working conditions for the worker; the employer has been provided with more efficient workmen and with industrial stability. Industrial peace and not industrial war is the outcome of collective bargaining. Through a general agreement all employers in an industry are placed on the same basis as to labor costs and then through competition, the inefficient employer is eliminated from the business world. Trade-unions and their policies put a premium on the efficient business organization. Collective bargaining is justified by its results.

## CHAPTER VII

### CONTROL OF STRIKES

MANY people think that the main business of a trade-union is to carry on strikes. This, however, is a mistaken notion. The importance of moderation is insisted upon by most labor leaders. Collective bargaining is the ultimate goal of nearly all trade-unions, and to reach it not only organization but discipline is needed. Strikes are dangerous to the organization and costly. Hard experience has taught trade-union officials that something more than enthusiasm is necessary to win a strike; and, while it may be occasionally true that a union thrives on opposition, a strike is not to be considered an end in itself. If the strike is lost, the better wages and conditions obtained by previous effort may be lost also. Experienced union officials, therefore, count the cost before entering on a struggle with the employer. The "get-rich-quick strike method," as it is called, is termed a failure. Paradoxical as it may seem, young and inexperienced unions often disintegrate after a strike is won, because it is easier to rely on promises than to continue the union and pay dues. But the retention of higher wages and better working conditions is usually contingent on the continuance of the union. The trade-union leader must not

merely estimate the chances of success, but must also consider whether the ground won can be held. The law of the survival of the fittest has, therefore, brought about a more or less complete national control as opposed to local control of strikes in many unions, while in all there is a unanimity of opinion concerning the value and need of organization and discipline. The domination of the national union over the local union usually means a conservative policy in the matter of strikes, as is brought out more fully by the writer elsewhere.[1]

### *1. Strike Procedure*

Quite early in the development of American trade-unionism it was realized by bitter experience that numerous strikes were disastrous, and so rules were gradually adopted, aiming at restriction of strikes to those disputes in which efforts at conciliation or offers of arbitration had failed to bring about an adjustment. This development is especially marked in those unions where the national union is dominant. The usual order of procedure in such unions in bringing about a strike is as follows: (1) the local union must exhaust all means of bringing about an adjustment of the difficulty; (2) the local union may then pass a strike vote which to be binding must be by secret ballot by a two-thirds or three-fourths vote

[1] Janes, George M., *The Control of Strikes in American Trade Unions.*

of all members present who have a standing of two or three months or more; (3) the local union after this has been done must secure the approval of the national union, which generally means the National Executive Board, for the action taken; and (4) finally, only after exhaustive efforts on the part of the national officers or their deputies to bring about a settlement, can a strike be declared. In a number of unions, especially the railroad brotherhoods, a general vote of the entire membership, or that of the district effected, is taken before acting. Even those unions in which local autonomy is the rule, provide in some instances for arbitration by a provision in their constitutions that efforts for arbitration of disputes should be made before striking. The point of the procedure thus worked out is that time is allowed for a reasoned consideration of the dispute and for conciliation or arbitration with the employer instead of hasty, emotional, and ill-considered action at once. The trend in this direction seems to be quite general.

### 2. *The National Deputy*

The sending of a national official to the scene of any trouble, or the "deputy system" as it is called, is a marked development of the principle of control. The function of the deputy is to go to the locality, investigate "the alleged matter of complaint," make an effort to adjust the matter, if possible, and report

to the president and the Executive Board of the national union his conclusions and recommendations as to what course should be pursued. The agent or deputy is a representative of the national union, and his duties can be laid down only in a general way. As one trade-union official has said:

> The man on the ground representing the international union should use his best judgment; it does not matter whether he agrees with the local committee or not. If capable and experienced, he is supposed to lead and not to follow. It is his duty to stand by the international union regardless of consequences, to protect the funds against waste and extravagance, and to maintain its reputation for a "square deal" with union manufacturers.

The deputy must be received by the local union, for if he is not permitted to perform his duties, strike benefits may be withheld by the national union and no further assistance granted. A strike entered into by a local union after refusing the offices of a national deputy would be illegal and would subject the local union to discipline, such as a fine or loss of charter and strike benefits.

In all the unions that have adopted the "deputy system" it is regarded as important that the deputy should be on the ground before a strike is begun. It is required, therefore, that the members involved continue at work pending investigation and until a final decision has been reached. The rule has worked well;

for any dispute can be more easily adjusted before an actual breach has occurred. President Martin Fox of the Iron Molders has observed that this rule "has strengthened the position of the union and proven beneficial in all cases." President Menger of the Operative Potters in an interview with the writer said:

> If an international officer can get on the ground before a grievance has assumed large proportions and before either side has committed itself, a settlement can be more readily brought about than if the affair is allowed to go on.

A representative coming in from the outside is frequently able to adjust differences which the parties themselves cannot settle. Those who are involved in a quarrel are not the best qualified to appraise its merits. Investigation by a party not previously involved is always helpful. The deputy acts as a mediator between the local union and the employer, and is often able to eliminate the local prejudice or personal feeling between the two parties. It is true that the deputy comes as a friend of the union; but he takes into account other considerations than the success of the local union. As a representative of the national union, he must consider whether the local union is justified in its demands, and whether the demands have been made in the proper spirit. All of these considerations make him a mediating element more or less independent of the local union. The

Cigar Makers report that one of their deputies met the employer seventeen times before a settlement was finally effected. An editorial comment says:

> The union will grow more rapidly in the future than it has in the past as soon as it is made clear that we as an organization have no desire to take an employer by the throat and make him do things regardless of whether competition, location, and his business will permit.

The deputy usually remains on the ground in case of a strike and continues his efforts for an adjustment of the dispute, or he may be sent directly to take charge of a strike. A good deal of authority is given to the deputy in strike matters. His decisions are binding in some unions and subject to approval by the Executive Board or by general vote in others. If he is able to reach an agreement with the employer he can terminate a strike in some instances even if the local union objects. The "deputy system," or some form of it, is now found in a large number of national unions. The tendency of the local unions is to turn more and more to the national officers in case of grievance, lockout, or strike; the work of the deputy has thus increased in quite a large measure and has resulted in the peaceful settlement of many disputes.

A word of caution is in order here: national unions vary in organization, discipline, and financial resources, and no general statement holds true of all of them. Some national unions, for instance, do not pay

strike benefits and their local unions have complete autonomy in the matter of strikes. Even in these unions the advice of the national officers is often sought if not always followed. An indication of the trend of development is seen in the Hod Carriers' and Building Laborers' Union, which pays no strike benefits, but which sends its president or a special organizer to direct strikes. Other national unions give their local unions the right to strike on their own initiative when only a small number of men is involved, or when, as in some unions in the building trades, the strike concerns a particular building or job, or when no financial assistance is expected. But even in these cases just cited, a national deputy is often sent by a number of national unions if a general strike is threatened. Another group of national unions includes the older and more highly organized unions which pay strike benefits and emphasize the necessity of discipline. In this group the deputy system has already brought about good results and it bids fair to be more effective in other national unions as time goes on.

### *3. Strike Benefits*

The real source of control of strikes by national unions is the power of the purse; for, in industrial disputes, the worker must live while the strike is going on. Nearly all of the older and stronger national unions have provided "the sinews of war"

in the shape of strike benefits. The collection and payment of these benefits have gradually been put into the hands of the national officers. The payment of benefits is conditioned on compliance with certain rules or regulations concerning strike procedure outlined in the first part of this chapter. The national deputy, as has been shown, reports on conditions and if the strike is authorized by the national union, strike benefits are paid. The amount varies from five to seven dollars a week in the average union. The money is provided by assessments or by a strike fund previously accumulated. In some cases, contributions from all local unions are solicited. A refusal of strike benefits means that the local union is thrown on its own resources. Some national unions allow their local unions to strike providing they pay their own expenses. The tendency, however, is to prohibit all strikes not authorized and financed by the national union.

The control of strikes through the national "deputy system" and the payment of strike benefits is real, and while it is true that a refractory local union occasionally defies national authority, such action is coming to be an exception to the usual rule. "One 'get-away' with holding up the parent body," to quote the expressive words of one union official, "does not mean that it can be done whenever the whim seizes a union or a number of unions." A radical membership, likewise, adds to the difficulties

of control. The secretary of the Ladies Garment Workers' Union, for instance, reports that in addition to ordinary difficulties

> . . . . our immigrant members have their heads full of revolutionary stuff, which they read in the Jewish radical press, written by men who have little sympathy with our movement, understand it less, and to whom unions and strikes are only useful as a means of carrying on the "class war." To these the idea of adjusting labor disputes without constantly resorting to strikes is gall and wormwood.

# CHAPTER VIII

## CONCILIATION AND ARBITRATION

THE control of strikes as outlined in the preceding chapter is further supplemented by the increasing use of trade agreements in which provision is made for conciliation and arbitration in the settlement of all disputes. By conciliation, or mediation as it is sometimes called, is meant the bringing together of employers and employees for a peaceful settlement of any difference by discussion and negotiation. A mediator brings the parties together or he may act as an intermediary. The aim of the conciliation is to get both parties together and let them settle the difference between themselves. Arbitration on the other hand, means the bringing in of a third party whose decision is to be accepted by both sides. The interesting point in this development is that there is no strike or stoppage of work pending investigation of any dispute.

These agreements fall into three classes: The first embraces the railroads and involves legislation as to public regulation of wages; the second is where the agreement is directly between an employers' association, or large corporation, and a national union; and the third where it is between a local union and a local employer.

### *1. Railway Agreements*

The various railway brotherhoods, such as the Locomotive Engineers, the Locomotive Firemen and Enginemen, the Railway Conductors, the Railroad Trainmen, the Switchmen, and the Railroad Telegraphers, beginning with the Locomotive Engineers in 1874, have made agreements with the railroads governing wages and working conditions and also, in case their local and general committees and national representatives fail to bring about an adjustment of difficulties, provision has been made for conciliation and arbitration. The development of public regulations of the railroads led to legislation in regard to the settlement of labor disputes. The Erdman Act passed in 1898 provided that in case of a dispute, the chairman of the Interstate Commerce Commission and the Commissioner of Labor must on application of either party, endeavor by mediation to adjust the difference. Mediation was conditioned on request by one party, and on acceptance of the mediator's offer by the other party. If mediation proved unsuccessful, the mediators were to urge arbitration and if the parties agreed, a board of arbitration was formed, one member being named by each party, and a third by these two. In 1913 the Newlands Act was passed providing for a permanent Board of Mediation and Conciliation. Likewise a Department of Labor was created and the Secretary of Labor was given power

to act as mediator and to appoint commissioners of conciliation in labor disputes, whenever in his judgment the interests of industrial peace may require it to be done. For the four years ending June 30, 1917, the Federal Board of Mediation dealt with seventy-two controversies, fourteen of which were settled partly or wholly by arbitration, and fifty-two by mediation.

The feeling, however, had grown among the railroad brotherhoods that the various settlements had not gone to the root of the matter, that arbitration was merely a palliative because based on compromise, and that no group of outsiders could understand the matter at issue. During the summer of 1916 these feelings came to a head, especially on the question of the eight-hour day. A deadlock ensued. Then, by a large vote, September 2, 1916, was set for the stoppage of work. Finally, after the failure of all compromise, Congress passed the Adamson Act which provided for the eight-hour day demanded and a postponement of the other demands until a commission appointed to investigate the effect of the eight-hour day reported. Nothing was done in the matter and so because of this fact and the delay of the Supreme Court in reporting on the constitutionality of the Act, the brotherhoods in the spring of 1917 threatened again to strike. President Wilson appointed a committee of the Council of National Defense to act and an agreement was made settling the

dispute. Following the taking over of the railroads by the government, a Railway Wage Board was created in January, 1918, and under its direction various boards of adjustment were established. Then, as the result of a presidential proclamation the National War Labor Board was established in April, 1918. The board had no legal powers to enforce awards and so appeal to patriotic motives was made. Only in three cases were its awards refused; in two of these cases, the government took control of the industries, while in the third case a threat of unemployment led the men to return to work.

The return of the railroads to private ownership was marked by the Transportation Act of 1920 which provides for special boards for settling railroad labor controversies. The Act declares

> that it shall be the duty of both carriers and employees to exert every reasonable effort and adopt every available means to avoid any interruption to the operation of any carrier growing out of any dispute.

Railroad boards of labor adjustment may be created by mutual agreement to consider any dispute. The idea is that mutual conferences should be held first and all means used to settle the differences between themselves. A permanent Railroad Labor Board of nine members was established and this board is the final tribunal for the settlement of railroad labor disputes. Differences may be referred to

it directly or on failure of an adjustment board to reach a settlement. The board in determining the justness and reasonableness of wages is to consider among other relevant circumstances the scale of wages paid for similar kinds of work in other industries; the relation between wages and the cost of living; the hazards of the employment; the training and skill required; the degree of responsibility; the character and regularity of the employment; and inequalities of increases in wages or of treatment, the result of previous wage orders or adjustments.[1]

The Board of Mediation and Conciliation created in 1913 continues to serve in settling various disputes. Its powers, however, do not extend to any dispute which may be received for hearing and decision by any Adjustment Board or by the Railroad Labor Board in the manner just described.

### *2. General Agreements*

The agreement between a large corporation or an employers' association and a national union has had an interesting development. The Iron Molders, for instance, have had agreements with the Stove Founders' National Defense Association since 1891. Annual conferences with the manufacturers were begun by the Flint Glass Workers as the outcome of a strike settlement in 1888, but the method was not made a constitutional rule until 1891. The method

[1] Transportation Act, 1920, Title III.

of agreement of this last union was followed later by the Amalgamated Glass Workers, The Glass Bottle Blowers, and the Window Glass Cutters and Flatteners. The Operative Potters, after a disastrous strike in 1894, at their convention of the same year, first discussed the making of an agreement with the manufacturers, and after several years of discussion, an agreement was entered into, to go into effect in 1900. This agreement has been renewed annually since then and no general strike has ensued. Since 1900 the Bricklayers' and Masons' Union has entered into agreements with contractors in various parts of the country providing that all differences that may arise be sent to headquarters for adjustment. Pending same, no strike can be entered upon by the members. Since 1901 there have been agreements between the American Newspaper Publishers' Association and the International Typographical Union, and later the Stereotypers', the Printing Pressmen, and the Photo Engravers' unions were included. The Coopers' International Union, in 1905, the Granite Cutters' Union in 1907, and the National Association of Machine Printers and Color Mixers in 1909 entered into agreements with national employers' associations. A larger part of the membership of the United Mine Workers is now working under district agreements. The International Longshoremen's Association has also since 1900 entered into various agreements. The interesting part of these agreements is the

method provided for the settlement of disputes. The agreement between the Dredge Owners' Protective Association of the Great Lakes and the International Brotherhood of Steam Shovel and Dredgemen provides for the settlement of disputes in the following way:

> In the event of a controversy arising between the parties hereto, or in the event of the men having a grievance, they shall continue to work and all such controversies and grievances will be settled, if possible, by the representative of the employer and the representative of the men. If such controversy or grievance cannot be settled by them, then it shall be arbitrated by choosing a third disinterested man upon whom the representative of the men and the representative of the employer may agree; if the representative of the men and the representative of the employer cannot agree, then the matter shall be submitted to the representative of the general organization of which he is a member, and the general manager, or his representative of the Dredge Owners' Protective Association of the Great Lakes, and if they cannot agree, then they shall choose a third disinterested party, and the said three shall constitute a Board of Arbitration and the decision of the majority thereof shall be final and binding, and all parties hereto shall abide thereby. It is expressly understood and agreed that said Arbitration Board shall meet within ten (10) days after the occurrence of the difference requiring arbitration has been submitted to them.

The arbitration agreement between the American Newspaper Publishers' Association and the International Typographical Union provides much the

same method as the above. Local conciliation and arbitration are provided for, and in case the local attempt fails or is not satisfactory, an appeal may be made to the National Board of Arbitration which consists of the three members of the Executive Council of the International Typographical Union and the three members of the Special Standing Committee of the American Newspaper Publishers' Association, or their proxies. The finding of the majority of the National Board is final and must be accepted as such by the parties in the dispute under consideration. No aid or support is given to the firm, employer, or local union refusing to abide by the decision.

### *3. Local Agreements*

Local agreements, or collective bargaining, without an arbitration clause are, and have been, numerous. The interesting development is the increasing insistence that all local agreements shall contain provisions for arbitration. The Bricklayers have been foremost in this policy. The New York agreement with the Mason Builders' Association came into existence in 1885 and contains a provision for arbitration. The same policy is found in the numerous local agreements entered into by the various unions connected with the building trades with builders' associations in leading cities. The Bakery and Confectionery Workers, the Barbers, the Boot and Shoe Workers, the Brewery Workers, the Glove Workers, the Gran-

ite Cutters, the Horseshoers, the Machinists, the Pavers, the Steam Engineers, the Steam Fitters, the Tile Layers, and the Tobacco Workers, are some of the national unions which require their local unions to have an arbitration clause in their agreements. A typical arbitration clause of a local union of the Bakery and Confectionery Workers in Washington, D. C., is as follows:

> All differences between Union No. 118 and the Washington Merchant Bakers' Association (or individual firm involved) that cannot be settled through the Business Agent of Union No. 118 shall be referred, first to three committees, one each from Union No. 118, the Grievance Committee from the Central Labor Union and one from the Washington Merchant Bakers' Association (or the firm involved). If these three committees cannot adjust the difficulty then arbitration shall be accepted as follows: Two disinterested parties are to be selected by the Washington Merchant Bakers' Association (or the firm involved), one member of the Grievance Committee of the Central Labor Union, and one disinterested person to be selected by Bakers' Union No. 118, these four selected to endeavor to adjust the matter in dispute, but in the event of failure to agree the four to select a fifth member of the committee on arbitration, and the decision of this committee to be final and to be accepted by all parties involved in the question.

These local agreements must usually be endorsed by the national union in order that as uniform a policy as possible be carried out. There seems to be a growing tendency according to statistics compiled

by the New York State Department of Labor to insert arbitration clauses in local agreements.

### *4. Arbitration*

Compulsory arbitration and even voluntary arbitration when it involves the calling in of only an outside party to adjust a difficulty is bitterly opposed by some trade-union officials. It is regarded as a broken reed to lean upon because the causes of strikes are according to these officials new desires and new demands which the rules of the past cannot satisfy. The question of wages and fewer hours is based on the problem whether or no the condition of the given business will justify the paying of higher wages or a reduction in the number of hours of work, and an outsider in the nature of things is said to know nothing about the relative merits of the case. Arbitration according to this view is regarded as the strongest weapon of the employer and the reason given in support of this theory is that such an arbitrator would be guided solely by the arguments of the employer concerning his ability to grant the demands. Labor organizations are advised to make sure that their demands are just and then to fight until they win them. Some unions rule out of the realm of arbitration any proposition to lengthen the hours of labor, and of course all stand firmly for the right to organize. The eight-hour day was brought about by strikes in the crafts where it exists, say trade-unionists,

with the further statement that it could not have been obtained by arbitration. Another objection is that arbitration leads only to compromise and thus at times to no definite conclusions; but the answer to this is that all political and social progress of a permanent kind is based on compromise; a step at a time.

The complaint has been made that in recent years the strike has been commercialized and is now based more on the principle of expediency than on the principle of justice. The complaint contains some element of truth, but it is nearer the truth to say that the strike by means of trade-union organization and experience has been transferred from the realm of emotion to the realm of reason. Organization generally means fewer and not more strikes, conciliation and arbitration being used in the settlement of many disputes.

Strike statistics for the United States are available only until 1905. They show that there has been an increase since 1881 in the absolute number of strikes, but a slower increase, or even a decrease, in their number relatively to the growth of industry. The development seems to be in the direction of an occasional large strike as over against many small ones. A number of national officials say that so far as their organizations are concerned the adoption of a policy of conciliation and arbitration has reduced the number of strikes. A report of the growth of the Boot and Shoe Workers' Union says that the adop-

tion of arbitration "marked the passing of the strike" in that organization. The Amalgamated Association of Street and Electric Employees, which has for its motto, "We are always ready to arbitrate our disputes," also reports a diminishing number of strikes on account of the adoption of arbitration. Too much cannot be made of a few cases, but there seems to be a consensus of opinion among both trade-unionists and employers that the reasonable method of conciliation and arbitration has been very effective in settling disputes and in reducing the number of strikes.

Many of the sensible, intelligent, and fair dealing trade-unions are adopting the principle of conciliation and arbitration. Strikes it is realized mean industrial war, and, as in all wars, the strongest side and not necessarily the right side wins. The right to strike is held to quite tenaciously but the tendency seems to be to substitute reason for force. But as it takes two to make a quarrel so it takes two to make an agreement. Between the arrogant, stubborn employer on the one hand and the unreasonable, turbulent labor leader on the other there is little to choose. "Nothing to arbitrate" means that there is no necessity for arbitration, and is based on the old principle that they should take who have the power, and they should keep who can. As a sagacious labor leader observed to the writer, "nothing to arbitrate means drunk with power."

Voluntary conciliation and arbitration is not a panacea — the human equation is still there — but it furnishes a means for bringing the employer and employees together and also a method for settling disputes. Mr. H. N. Kellogg, of the American Newspaper Publishers' Association, after reviewing the history of the agreements with the unions of the printing trades, declares that "arbitration is the most sensible and the best method for settling labor disputes that has been developed up to this time."

UNIV. OF CALIFORNIA

# CHAPTER IX

## THE TREND OF DEVELOPMENT

"A TRADE-UNION," according to one authority, "is a continuous association of wage-earners for the purpose of maintaining or improving the conditions of their employment."[1] A trade-union although usually including benevolent and fraternal features is something more than a mere fraternal order which might easily be a continuous association of wage-earners. The purpose of maintaining or improving conditions of employment involves means and ends and a more or less fixed policy which makes an organization a trade-union. Trade-unionism involves collective bargaining as over against individual bargaining for wages and conditions of employment and the use of the strike as a weapon of last resort in enforcing demands. A number of American trade-unions began as mutual benevolent and fraternal societies and have become under economic pressure regular labor organizations. A similar development is now going on in a number of organizations resembling in some respects trade-unions, and it is the purpose of this chapter to show by the study of concrete instances the trend of this development.

[1] Webb, Sidney and Beatrice, *History of Trade Unionism*, 1902, p. 1.

The dividing line between fraternal or beneficiary organizations and trade-unions seems to lie in the matter of collective bargaining and in the attitude towards strikes. The National Association of Stationary Engineers, for example, which was organized in 1882, lays stress upon educational and beneficiary features and declares that "this association shall at no time be used for the furtherance of strikes, or for the purpose of interfering in any way between its members and their employers as to wages." [1] Strikes, moreover, it is urged, are unnecessary because of the identity of interest between employer and employee. To this the trade-unionist would say that educational and beneficiary features are useful, and that there is an identity of interest up to a certain point, but that without collective bargaining it is impossible to utilize the legitimate power of combination that comes with trade-union organization. Moreover, collective bargaining would be the rule, and strikes would be abolished as soon as an industry should become completely unionized.

The trend of present-day development may be readily seen by an examination of the policies of various organizations which, on account of more or less similarity, may be divided into the following four groups: (1) Organizations whose members are employed directly by the federal government; (2)

[1] *The National Engineer*, February, 1904, p. 84; *Preamble, Constitution*, 1914, p. 8.

unions formed of men holding federal licenses; (3) train-service organizations whose members are employed on the railroads, and (4), a miscellaneous group at various stages of development.

### *1. Federal Government Employees*

In this group are found such organizations as the National Federation of Post Office Clerks; the Brotherhood of Railway Postal Clerks; the National Federation of Postal Employees; the Railway Mail Association; the National Association of Letter Carriers, and the United National Association of Post Office Clerks. These are all fraternal and beneficiary associations whose aim is to cooperate with the postal department as to classification, wages, hours of labor, and the upholding at all times of civil-service rules.[1] Most of these organizations have developed into regular trade-unions and have affiliated with organized labor "despite Postmaster-General Burleson's known opposition and declaration concerning the menace in postal unions."

The National Federation of Post Office Clerks is a typical illustration of the development of postal unionism. Beginning as merely a fraternal and beneficiary organization, it became a regular trade-union primarily through need of affiliation with organized labor to secure through combined effort better work-

[1] *Constitution*, Letter Carriers, 1911, art. II, sec. 1.

ing conditions and higher pay. The present status of the federation is shown by its being affiliated with The American Federation of Labor, by the fact that its objects are the social and economic advancement in every lawful way of its members, and by its sympathy with the trade-union movement.[1] However, at its national convention in 1911 a resolution was adopted putting it "on record as most emphatically opposed to strikes in the postal service as a means to bring about the improvement of working conditions in the service."[2] A "Post Office Appropriation Bill," passed in August, 1912, provides that membership in associations like the foregoing "shall not constitute or be cause for reduction in rank or compensation or removal of such person or groups of persons from said service," provided they are "not affiliated with any outside organization imposing an obligation or duty upon them to engage in any strike, or proposing to assist them in any strike, against the United States." This, according to President Nelson, of the National Federation, legalizes the right to affiliate with the American Federation of Labor because that body does not require any affiliated body to strike, nor does it propose to help anybody in a strike against the United States. Legislation and not strikes is held to be the last recourse of public

[1] *Constitution*, 1910, art. II.

[2] *Proceedings*, 1911, p. 87, *The Union Postal Clerk*, January, 1912, p. 14.

employees in settlement of grievances.[1] This right of organization carries with it the further right to petition and agitate for remedial legislation which had been denied to some extent by the federal officials. The contention of the union officials is that bad conditions brought about the organization of the union and that their aim was amelioration by peaceful methods and so they are opposed to strikes. President Nelson said to a congressional committee:

> As a matter of fact, in the Chicago post office before our union came into existence, we practically had strikes. The men after working fourteen hours on a stretch refused to work any more; they walked out and deliberately rang the Bundy clock and went home — seventy-five of them — and they could not get men to take their places.[2]

In reality, these organizations whether affiliated or not with the American Federation of Labor are in many respects trade-unions and are recapitulating — the earlier stages at least — the development of many regular trade-unions. It should be borne in mind, also, that the government postal employees in France went out on strike in 1909, and the railroad employees, composed partly of government, partly of private lines, in 1910, and that this latter strike was broken only by calling the men to the colors.

[1] *The Union Postal Clerk*, August, 1912, p. 1.
[2] *Ibid.*, December, 1911, p. 6.

### *2. Men Holding Federal Licenses*

Here are found such organizations as the National Marine Engineers' Beneficial Association and the American Association of Masters, Mates, and Pilots. Their members are required to have a federal license to engage in their calling and are subject to government inspection. The conduct of all such licensed officers is subject to investigation by the Local Board of Inspectors which has power to suspend or revoke licenses. Section 4449 of the *Revised Statutes of the United States* reads:

> If any licensed officer shall, to the hindrance of commerce, wrongfully or unreasonably refuse to serve in his official capacity on any steamer as authorized by the terms of his certificate of license, or shall fail to deliver to the applicant for such service at the time of such refusal, if the same shall be demanded, a statement in writing, assigning good and sufficient reasons therefor, or if any pilot or engineer shall refuse to admit into the pilot-house or engine-room any person whom the master or owner of the vessel may desire to place there for the purpose of learning the profession, his license shall be revoked upon the same proceedings as are provided in other cases of revocation of such licenses.

This law is said by some to deny the right of striking and to put these organizations into the list of nonstriking ones. President William F. Yates, of the National Marine Engineers' Beneficial Association, however, speaking concerning the right of federal control, says in an official letter that

No officer of the inspection service has any right to inquire as to why a man refuses to accept employment and if he (officer) asks such questions he should be told emphatically that it is none of his business.[1]

Then he goes on to say that the language of the section just quoted

. . . . has been taken by some members of the inspection service, owners, attorneys, and others, to mean that a licensed officer may be compelled to enter the employment of anyone who needs his services, and this meaning or interpretation is absurd in the opinion of good lawyers, and I'd like to see the man who could press me in his service against my inclination in the matter.

The contention is that a marine engineer or other licensed officer has no "official capacity" on any vessel except he be in the employ of the owners or agents, and the plain intent of the law is to prevent a licensed officer who is regularly employed on a vessel from wrongfully or willfully refusing to do his duty by either refusing to remain on a vessel when required or by quitting on eve of departure. "Any other construction attempted," says President Yates, "should be fought to the bitter end."

This association was in fact, if not in name, a trade-union because its rules provided that no subordinate association could either go on strike or change its scale of wages without the knowledge and consent of the national president and Advisory

[1] *Proceedings*, 1910, p. 297.

Board.[1] Likewise most of the troubles or strikes of this organization have been in connection with the making of a scale of wages.[2] Although emphasizing collective bargaining, the Marine Engineers asserted in 1910 that they did not affiliate with other labor organizations because "if engineers live up to the part of licensed officers they need no such alliance and that such would be harmful to both."[3] There were, therefore, no sympathetic strikes in their organization. Even as to strikes, the rule had been enacted that the word "strike" must be eliminated from the records of each subordinate association.[4] The feeling, however, continued to grow that the interests of the association and its members were being discriminated against on account of their isolated labor position and that they were failing to gain the benefits and rights accruing to other organizations through combined effort, and so the matter of affiliating with the American Federation of Labor became urgent.[5] At the convention of 1916, after considerable discussion and questioning a representative of the Federation as to obligations involved, it was voted to take a referendum vote of the entire membership on the matter of affiliation.[6] The result

[1] *Constitution*, 1907, p. 27.
[2] *Proceedings*, 1911, p. 485.
[3] *Ibid.*, 1910, p. 143.
[4] *Constitution*, 1907, p. 27.
[5] *Proceedings*, 1916, p. 22.
[6] *Ibid.*, pp. 44, 57.

was 2,933 for and 1,236 against affiliation. On account, however, of jurisdictional differences with the Steam Engineers, the Machinists, and other unions as to who should do certain work or make repairs, the acceptance of the charter was held in abeyance until the convention of the association in 1917.[1] It is interesting to note that a resolution for the creation of a defense fund was rejected because of "the opinion that the fact that a defense fund was in existence would cause our members to become careless and aggressive."[2] Opposition to the Marine Engineers coming into the Federation continued and at the convention of 1917 the National Executive Committee was authorized to continue negotiations with the view of securing an acceptable charter. During 1917 negotiations continued and finally a conference with the protesting international unions was arranged to be held during the Buffalo convention of the American Federation of Labor. The conference was held Monday evening, November 19, 1917, between representatives of the Marine Engineers and of the protesting organizations involved, namely the International Association of Machinists, Brotherhood of Boiler Makers and Iron Ship Builders, United Association of Plumbers and Steamfitters, and International Brotherhood of Electrical Workers. After considerable discussion, an amicable adjustment con-

[1] *Minutes of the Executive Committee*, July, 1916, p. 26.
[2] *Proceedings*, 1916, p. 52.

cerning the division of work was reached and the protesting unions withdrew their objections. The charter was issued on December 14, 1917, and so, as a result of a movement begun in 1903, the Marine Engineers became affiliated with the American Federation of Labor.[1]

The American Association of Masters, Mates, and Pilots is likewise composed of licensed officers and its development may be brought out briefly. Although for many years a trade-union in everything but name, it did not become affiliated with the American Federation of Labor until 1916, and then only after much agitation and discussion, and the defeat of a similar movement in 1911.[2] The officials of the association denied for some years that it was a trade-union. In spite of the idea that a licensed officer was in a special class by himself, the feeling grew that "the best interests of this association require that it be affiliated with the American Federation of Labor in order that its object and purposes be more fully and completely attained." Such a resolution was passed at the 1916 convention and subsequently sustained by a referendum vote of the entire membership.[3] On account of this action, a dual organization embracing the higher officers in ship service and

[1] *Proceedings*, 1912, pp. 225-238; 1917, pp. 401-406; 1918, pp. 808-837.

[2] *Master, Mate, and Pilot*, March, 1911, p. 486.

[3] *Proceedings*, 1916, pp. 73-74.

known as the Shipmasters' Association has been formed by some seceding members — an evident example of persistent individualism.

### *3. Railroad Employees*

This group is made up of the train-service organizations whose members are employed on the railroads. These are the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen and Enginemen, the Brotherhood of Railroad Trainmen, and the Order of Railway Conductors of America. All have had a common origin and a similar development as will be brought out.

The Brotherhood of Locomotive Engineers is the oldest organization in this group. It was organized as the Brotherhood of the Footboard in 1863 and reorganized the next year under the present title. During the first ten years the brotherhood developed fraternal and beneficiary features, and had a few local strikes although these were discouraged by the officials. In 1874 the president was deposed as being too much of a pacifist and was succeeded by P. M. Arthur who continued at the head of the organization until his death in 1903. While conservative in his policy Mr. Arthur declared: "We are opposed to strikes and will not resort to them unless forced to do so by the arbitrary actions of our employers. It is our only hope when moral suasion fails."[1] Wage

[1] *Locomotive Engineers' Monthly Journal*, December, 1876.

agreements and arbitration rather than strikes were emphasized. Strikes were necessary at times because some railroad officials were imbued with the ideas of absolute monarchy. An engineer, for instance, was discharged and went to the superintendent and asked: "Will you be kind enough to tell me what I am discharged for?" and received the answer: "You are discharged, are you? Well, that is conclusive evidence that the company doesn't want you." [1] A campaign of education and the use of the strike when necessary brought about better relations. The great strike on the Burlington Railroad in 1888 is said to have been caused by "a narrow view of master and servant all along the line. They were the masters and the road was their kingdom to manage and no interference or arbitration could be allowed." [2] The result of this most bitter and prolonged strike in its history revealed the strength of the brotherhood and made it easier to get along with the railroad companies by peaceful means.

The Brotherhood of Locomotive Firemen and the Brotherhood of Railroad Trainmen have had much the same development as will be indicated briefly. The Brotherhood of Locomotive Firemen was organized in 1873 as a mutual benefit association and did not become a distinct labor organization until 1885 when a protective policy was adopted much against

[1] *Locomotive Engineers' Monthly Journal*, May, 1905, p. 393.
[2] *Ibid.*, October, 1896, p. 880.

the wishes of its officers.[1] Likewise, the Brotherhood of Railroad Trainmen, organized at Oneonta, New York, in 1883, as the Brotherhood of Railroad Brakemen and changing its name in 1889, has had much the same development as the other brotherhoods.[2]

The most pronounced and dramatic development in this group is that of the Order of Railway Conductors of America, organized in 1868 and continuing as a purely fraternal organization until 1891. The Conductors stood on the policy adopted at the convention at Elmira, in 1877: "Temperance and total opposition to unlawful and violent uprisings of employees, termed strikes." At the same time a resolution was passed unanimously that any brother engaging in a strike should be expelled and that a notice of the same with the cause therefor should be sent to all railroad superintendents within reach of the division secretary. Another resolution at the same convention provided that "the names of all members expelled for drunkenness or engaging in a strike shall be published in the magazine." [3]

The year 1877 was marked by violent railroad strikes and the resolutions quoted probably were caused by a reaction from the same. Still, in 1882, Grand Chief Conductor, G. S. Wheaton, declared

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[1] *Locomotive Firemen's Magazine*, June, 1910, p. 843.
[2] *History*, by D. L. Cease, 1889, p. 5.
[3] *Proceedings*, 1885, p. 7[illegible]

that the weaker party succumbs in every strike and that there are no gains through strikes and coercion, and in the convention of the same year the platform adopted ran: "Reserving the right to prosecute our own business according to the dictates of our own conscience, and within the law, according to every other man the same right." [1] The next year, 1883, a circular was issued stating that the order was uncompromisingly opposed to strikes or coercive measures.[2] At the Louisville, Kentucky, convention in 1885, a resolution was passed and embodied in the constitution providing that in order to obtain recognition in the matter of obtaining favors and adjusting grievances the division or divisions interested should select a member or members as a committee to wait upon the general officers of the railroad company, and, if refused, to ask the Grand Chief Conductor of the order to call on the officers and endeavor to effect a settlement. It was made obligatory on the Grand Chief Conductor to comply with such a request in every case, and the expenses attending same were to be borne either by the division or the individual making the request.[3] This marked a change of the order from a mutual fraternal society to a labor organization and it was so designated by Grand Chief Conductor Wheaton at the New Orleans convention in

[1] *Proceedings*, 1882, p. 507.
[2] *Ibid.*, 1883, p. 595.
[3] *Ibid.*, 1885, p. 787.

1887. The movement for making the order a factor in the adjustment of grievances marked by this opening wedge continued and the culmination came in the removal of the law against strikes and the election of E. E. Clark, who represented the progressive element, as Grand Chief Conductor, at the convention at Rochester, New York, in 1890.[1]

A good deal of the subsequent growth of the order was due to the wise and energetic policy of Mr. Clark who served until 1906 when he resigned to accept an appointment on the Interstate Commerce Commission.[2] Just before the removal of the no-strike law a demand for an increase of wages on the New Albany Railroad was met by its superintendent in refusing with the words, "You cannot strike;" but the conductors replied: "We can quit," and the result was that they received the increase demanded.[3] A strike in 1890 and another one in 1891 showed the necessity of some definite strike rules which later were enacted at the 1891 convention, modeled to a large extent on those of the Locomotive Firemen.[4] These rules remain substantially the same to this day and other actions of the convention placed the conductors on the basis of a labor organization.

These four train-service brotherhoods, beginning

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1 *Proceedings*, 1890, pp. 186, 276.
2 *Ibid.*, 1907, p. 46.
3 *Ibid.*, 1890, p. 110.
4 *Ibid.*, 1891, pp. 43-49; 84-87.

as fraternal and beneficiary orders merely, have thus become under prevailing industrial conditions regular trade-unions — business unions pure and simple — which on account of their strategic position in the railroad industry and consequent advantage in bargaining power have found it unnecessary to affiliate with other unions except at times they have taken in the Order of Railroad Telegraphers in a wage demand. On account of their independent position, they are sometimes called the aristocrats of the trade-union world and their strength may be seen in the passage of the Adamson Act in 1916 by Congress granting the eight-hour day and extra pay for overtime in order to avert a concerted strike on their part throughout the United States.

### *4. Miscellaneous*

In this fourth group is found a number of organizations at various stages of development recapitulating the experiences of the organizations in the preceding groups. In this group tendencies are not so clear and some of the movements are not fully developed as yet. One type of organization is that made up of state, county, and city employees and thus including to some extent men of special training and education. These include such unions as the Bridge Tenders' Union, City Firemen's Union, City Highway Employees, Health Officers' Association, Housing Inspectors, Municipal Employees, School

Custodians and Janitors, Sidewalk Inspectors' Association, State Hospital Employees, and the National Federation of State, County, and City Employees. These are, for the most part, local unions affiliated directly and not through an international union with the American Federation of Labor. A movement for the unionization of policemen was proposed in Boston. Police Commissioner O'Meara voiced his strong opposition to the movement in that, while a union of some public employees might be a matter of doubtful propriety, one of policemen would mean an abandonment of an impartial attitude on account of affiliation with an outside organization and so not to be allowed.[1] However that may be, the recent strike of the London police is of interest. The *New Statesman* of September 7, 1918, states the issue clearly and directly thus:

> We regret that the police were compelled to strike, but we heartily congratulate them upon their victory. Their grievances were manifold, and if, after years of "victimization," stern refusal, and procrastination, they decided that nothing but a strike could bring the authorities to reason, they had plenty of grounds for their belief. A very brief, and on the whole very orderly and good-tempered demonstration, was all that was necessary. It was too late to try to hit at the union once more by wholesale dismissals; the public and the newspapers (though shocked) were uniformly sympathetic with the strikers; Mr. Lloyd George was staggered to

[1] *Boston Evening Transcript*, June 29, 1918, p. 2.

find, quite suddenly, that a force he believed to live in paradisal content was thoroughly discontented; and the government made a swift climb-down. Before the strike the minimum wage was 30s., with a war bonus of 12s. and a 2s. 6d. allowance for children; the total has now been increased by 13s. There is also to be a noncontributory pension for widows. Recognition has not been accorded in terms, but the Union Executives were met by Mr. George as the men's representatives, and ex-P. C. Thiel, provisional organizer of the union and delegate to the London Trades Council, is to be restored to the post from which he had been dismissed for taking part in "an unauthorized association." This means that if "recognition" has not been given in words, it has been given in all save words.

The policemen of Boston, however, organized a union and went out on a strike in the summer of 1919. The city was left without protection and robbery and looting occurred. A volunteer police force was organized and the militia was called out. The strike was a failure and the striking policemen lost their positions.

Librarians, school teachers, and college professors have generally regarded themselves as professional men and women. The Library Employees' Union has, however, been organized in New York City. A similar movement in Boston has been criticized on the ground that

It has from time immemorial been the rule among professional men and women that an organization of

themselves to advance wages is unprofessional and undignified.[1]

The most advanced movement in this group is found in the American Federation of Teachers, organized April 15, 1916, and affiliated with the American Federation of Labor, which, on November 18, 1918, included thirty-three local unions stretching from the Atlantic to the Pacific, with one in the Canal Zone. A local union of more than three hundred women teachers was organized at St. Paul in June, 1918, during the convention of the American Federation of Labor. The organization has grown and on May 1, 1921, had a total membership of eight thousand distributed among one hundred local unions. The movement is fundamentally an organization of classroom teachers. There are, however, a number of local unions among the various universities and colleges of the country. The reduction of membership requirement from ten to three years of teaching or research by the American Association of University Professors is said to be directly due to the rapid growth of the Federation. The ideal of the movement is "democracy in education; education for democracy." Evidently there seems to be a reason for this movement, for as one teacher said to the writer, "We have tried literary clubs, social organizations, and teachers associations and they have not

[1] *Boston Evening Transcript*, May 22, 1918.

gotten us anywhere and now we are going to try a trade-union." An example of results obtained is shown in the Chicago school situation where a school board has been legislated out of office and a new one substituted largely by the help of organized labor and other liberal elements. A statutory guarantee of tenure during efficiency has also been obtained. The old board had passed a rule forbidding membership of teachers in organizations affiliated with labor, or any other organizations that might be specified at any time in the future at its caprice. It had, also, passed a rule abolishing tenure based on meritorious service and had dropped sixty-eight teachers. In such a case as this, it is necessary for teachers to combine and affiliate themselves with other organizations and not stand weak and alone. The discharged teachers who belonged to the Federation were all reinstated and have continued their local organization (Chicago Teachers' Federation) without reaffiliation with organized labor from which they withdrew for the time being as a matter of policy. The alliance of teachers with trade-unionism is a sign of present economic conditions and should arouse considerable interest. The American Federation of Teachers, however, is not a mere bread-and-butter movement as is shown by its program of educational and social reforms.[1]

In conclusion it may be said that the economic

[1] *American Teacher,* September, 1918, pp. 189, 151. Letter of President Charles B. Stillman.

conditions of the present day are such that organizations beginning as fraternal and beneficiary ones, become under economic pressure trade-unions. The younger organizations seem but to recapitulate in their growth the development of the older ones. Among the larger organizations studied, the exception seems to be the National Association of Stationary Engineers, but even in this organization there has been some agitation for trade-union policy and affiliation.

The question naturally arises: What has become of the spirit of individualism which has always been such a prominent factor in American life? A partial answer is of course that a large number of American workmen are not connected with the trade-union movement although that number is becoming less. But the fact remains that if workmen are organized at all the tendency is to become identified with the trade-union movement. The notion that because a man is a government employee, or a licensed officer, or a more or less skilled workman, or considers himself a professional man, he can stand alone under present conditions of industrial and social organization, has been weighed in the balance and found wanting. The sentiment, "I'm a licensed officer and not a trade-unionist," may swell a man's pride, but it does not go far in getting help for the passage through Congress of a law to better his working conditions. The dissenting votes in the various organ-

izations examined show that the individualistic feeling is not dead, but the majority votes in favor of affiliation with organized labor indicate a recognition of facts and show the trend of events.

## CHAPTER X

### THE UNION SHOP

A FAMILIAR but much criticised policy of many trade-unions is the rule prohibiting members of the union from working with non-union men. The union shop, which outside of union circles is called the closed shop, is a shop where the owner has agreed to employ only members of a union. The policy varies among different unions and is a very elastic one. Many unions, like the Locomotive Engineers and the other railroad brotherhoods, do not have a union-shop rule. Other unions will not allow non-union men to work along with their members in their trade or craft. Still others, like the unions in the building trades, refuse to work for the employer who hires any non-union men at all, excepting, perhaps, the unskilled and unorganized laborers. Some national unions make no rules in regard to the union shop but leave the matter to the local unions to be determined according to circumstances. The union-shop policy is an attempt at control and is coincident with the earliest beginnings of trade-unionism in this country.

#### *1. Variant Types*

The closed shop, however, is not confined to trade-unions, but it may be used by the employer and then

it becomes an anti-union shop. The employer under such circumstances will not hire a union man and discharges any employee who joins a union. In some places where the anti-union or closed shop is carried on under the misleading name of the open shop, all employees are required to sign a statement that they are not members of a labor union and will not join one while in the employ of the company.

The real union shop exists under two forms: (a) The closed shop with the open union. Under this form the employer can hire anyone, but the new employee must join the union if he is not already affiliated. (b) The closed shop with the closed union. In this case, an employer can hire only union men and all non-union men are discharged. Some unions by arbitrary fines may eliminate some members and also by exorbitant initiation fees and high dues limit their membership to as few as possible. The conclusion is that a closed union is an indefensible monopoly; it may even be said that a union shop with a closed union is an indefensible monopoly which is against public policy and should not be upheld. On the other hand, when the union admits all qualified workers to membership under reasonable conditions, the closed or union shop cannot become the basis of monopoly. As a matter of fact, most unions spend a good deal of time, energy, and money in getting new members and in organizing new local unions. If the opposite were true, there would be no rational ex-

planation for the large numerical growth of organized labor during the past decade.

### 2. *Arguments for the Union Shop*

The union shop says the unionist is necessary because only by united action can collective bargaining be made effective. The non-union man does not do his part in securing higher wages, shorter hours, and better working conditions. No man has the right to enjoy the fruits of the labor of others. The unionists feel toward the non-unionists much as did loyal citizens during the World War toward the slackers. As Professor Ely well says:

> The non-union man frequently does a real injury to his fellow-workers by accepting wages or other conditions of employment that are inconsistent with the American mode of living. The price-cutter in the labor market is not ordinarily a social benefactor. The weakest, dullest, and least enterprising laborer exerts an influence upon the general level of wages out of all proportion to his importance or deserts. If this be true, the man who cuts the standard rate of wages may do a grave social injury, and there is justification for those who peaceably combine to prevent him from doing his destructive work.[1]

Other reasons given are that without the union shop the employer would use non-union laborers to destroy the unions; that employers use cheap immigrant labor to break down the unions, as is seen in

[1] Ely, *Outlines of Economics*, p. 449.

the steel industry; that the union shop puts all employers in the same industry on the same basis so far as labor cost of production is concerned; and that the union wages and union hours of the union shop eliminate the inefficient employees and benefit the public.

### *3. Means of Enforcement*

The union-shop policy is enforced in either of two ways—by the card system or by what is known as the check-off system. Under the card system the worker must carry a union card which must be shown to the union officials who inspect the shops. In some instances, especially in the building trades, the worker must wear a union button. Under this system, as has been pointed out, the union officials must frequently exert pressure in order to compel individual members to pay their union dues.[1]

Under the check-off system the dues and fines levied by the union are collected by the employer from the wages of the workers and turned over to the treasurer of the union. Under this system no pressure at all is necessary because if the union member works at all he remains in good financial standing in his union. The check-off system is used only in the bituminous coal mines and in the window-glass industry. Professor Stockton gives two reasons for its restricted use. (1) The union desires to be less

[1] Carlton, *History and Problems of Organized Labor*, p. 185.

dependent upon the employers of its members. (2) Many employers are not anxious to assist in unionizing their establishments.[1] The system has become a bone of contention in the West Virginia labor controversy through the recent sweeping injunction of Judge Anderson which, however, was reversed by a higher court so far as the check-off system was concerned.

### *4. General Principles*

In the controversy concerning the open shop in which in theory both union and non-union men may be employed, a great deal is said about its being based on principle and the sacred right of liberty. The union shop is called an un-American institution. Every man, it is said, has the right to sell his labor as he pleases and every employer has the freedom to hire such labor. Liberty in the abstract is a high-sounding word. Freedom of contract to work sixteen hours a day in insanitary surroundings because a man can't get another job and has a family depending on him may be liberty of contract, abstract liberty, but it is not economic liberty in any sense whatever. The sweatshop employer demands what kind of liberty? President Eliot's declaration that the "scab" is the moral hero of the labor world and that membership in a trade-union is a surrender of personal freedom is used to glorify the open shop.

[1] Stockton, *Johns Hopkins University Circular, No. 224.*

What it all amounts to is anti-union pleading, not open-shop reasoning. It is talking in the abstract and fails to state the case as it really is. Men like President Eliot really believe in freedom but they are so unfamiliar with the actual workings of shop conditions and the real attitude of many employers toward unions, that their reasoning relates to conditions that do not exist. President Eliot is talking of a world in which nobody lives.[1] To quote the Clothing Manufacturers' declaration that "the closed shop is an un-American institution" is like quoting the late Tsar on political freedom.

The contention of the trade-unionist is that the open shop really means a non-union shop. President Furuseth of the International Seamen's Union relates the following incident: A friend of his in Cleveland who held a good position on the docks there was informed that the Lake Carriers' Association was to run an open shop. "All right," said he, "that doesn't interfere with me." He was a member of the union and on the next Tuesday night went to a meeting of the union. On Wednesday he was called on the carpet. "Don't you know that this is an open shop?" "Yes, I know." "Then don't make any mistakes." Next Tuesday he went again to a meeting of the union and the following day he was again called on the carpet. "Don't you know that this is

[1] "'Principles' of the Open Shop," *Gunton's Magazine*, July, 1904.

an open shop?" "Yes, I do." "And still you go to the union meeting?" "Yes, I do." "Well, then, this is an open shop, don't you understand?" "I guess I don't. You call it an open shop?" "Well, yes, I call it so in public." "Do you mean to say that I can't work here and remain a member of a union?" "That's exactly what I mean to say." "Well, then, give me my money and let me pass away." [1]

A more extreme example of the same thing is seen in the refusal to deal with union shops by those running so-called open shops. President Grace of the Bethlehem Steel Corporation testified in December, 1920, that it was the policy of his company not to sell steel to contractors who operate union shops. That is to say, the open shop in this case is a mere camouflage for "union smashing" and really means a non-union shop policy.

In considering the recent agitation for the open shop, attention should be called to a statement issued by the Commission on Church and Social Service of the Federal Council of Churches and published in the *Survey* for January 15, 1921. This statement which was very similar to a statement made by the Department of Social Action of the National Catholic Welfare Council was in part as follows:

The relations between employers and workers throughout the United States are seriously affected at

[1] Furuseth, *The Open Shop*, p. 84.

this moment by a campaign which is being conducted for the "open-shop" policy — the so-called "American plan" of employment. These terms are now being frequently used to designate establishments that are definitely anti-union. Obviously a shop of this kind is not an "open shop" but a "closed shop" — closed against members of labor unions. . . . . Many disinterested persons are convinced that an attempt is being made to destroy the organized labor movement. Any such attempt must be viewed with apprehension by fair-minded people.

## CHAPTER XI

### UNION POLICIES

THE modern trade-union is essentially an association of wage-earners whose purpose is the selling of labor power to employers for a stipulated sum. However, not only wages but also conditions and hours of labor are considered and so trade-unionism has many social implications. The development of unionism has brought about certain policies and practices which may now be briefly considered.

### *1. The Union Label*

The union label is a distinctive mark placed upon goods made by members of a union. The label enables the consumer to buy only union-made goods presumably produced under better conditions than other goods not so similarly marked. The union label is said to have originated in California in opposition to cheap labor. It has been considered that it was first used by the cigar makers in 1875, although it is now claimed they were preceded by a carpenters' eight-hour league, which furnished a start to all planing mills running on the eight-hour plan, so that they would be enabled to identify the work of the ten-hour mills. Some sixty unions make

use of labels and cards. The label is used by such unions as the Typographical, Bakery and Confectionery Workers, Boot and Shoe Workers, Barbers' (card), United Hatters' and Glove Workers and others. A persistent and continual demand for union-made goods means that the market for goods produced under sweated or unfair conditions will be much restricted if not eliminated entirely. The worker as consumer has a latent power in the use of the label for the betterment of all workers. A demand for the goods produced by one trade increases the buying power in that trade and thus a demand for goods produced in other trades; for, in other words, the buying power is increased all around. The general consumer, also, is assured, says the trade-unionist, that the label guarantees sanitary conditions of production and so freedom from infectious diseases. The union label in so far as it stands for good workmanship, quality and a fair price is still but a partially developed asset of trade-unionism.

### 2. *Jurisdictional Disputes*

Jurisdictional disputes between trade-unions may be likened to family quarrels or to sectional disputes within a nation and in all these cases are a menace to the welfare of the institution involved. Jurisdictional disputes are a source of weakness in trade-unionism and are generally regarded as such. President Gompers has said that " such disputes threaten

the very existence of the American Federation of Labor and have aroused the most bitter feuds and trade wars." Jurisdictional disputes may be divided into four classes: (1) Territorial or geographical, (2) demarcation or boundary, (3) conflicts between trade-unions and industrial unions, and (4) organization. Territorial disputes arise when two or more trade-unions come into conflict over the territorial limit of their authority. Demarcation or boundary disputes result from two or more unions claiming the right to do a certain kind of work. These demarcation disputes are the most common. Such questions arise, should carpenters or plumbers bore holes for pipes in wooden floors? Should a tile worker be called in if the floor is a tile one? An extreme example is afforded by the dispute over the installation of a vacuum cleaning system in the Marshall Field and Company building in Chicago. The work was interrupted by disputes between plumbers and steam fitters about who should do the work. Several strikes were called and work on a two million dollar job was delayed for days on account of an original dispute over eight hundred dollars' worth of work, and it was even proposed as a solution of the difficulty that the system should be torn out entirely.

Conflicts between trade-unions and industrial unions cause a good deal of friction. The United Mine Workers as an industrial union enrolls all

workers in and about the mines. The question, however, arises: To what union should the engineers belong? The Brewery Workers have likewise had trouble with the coopers', painters' and teamsters' unions. Organization disputes arise for the most part from the division of labor within a trade. Specialization, for example, in the printing trade has led to the formation of new unions by the pressmen, bookbinders and stereotypers. These belonged originally to the Typographical Union and broke away after more or less conflict.

The cause of these various jurisdictional disputes is, for the most part, unadulterated selfishness. Accompanied as they are by strikes by big and small unions, jurisdictional disputes alienate public sympathy. Even the union contractor may be ruined without any fault of his own by internecine warfare between rival unions. Several remedies have been proposed. One is that unions be formed on industrial lines. Professor Whitney, who has made an exhaustive study of the subject, says, in substance, that the frequency of strikes among the building trades is due to disorganization. The labor troubles are chiefly jurisdictional disputes, the only remedy for which is an abandonment of the innumerable craft unions, which cause disorganization within the industry, and the substitution of a single all-embracing union of the industrial type. Another suggestion is the establishment of boards or committees for

the adjustment of such disputes and this has already been tried to some extent. It has also been said that the essential element in the lessening of disputes is the development of a spirit of fraternity.

### *3. Benefit Features*

British trade-unions arose out of friendly societies and so have developed benefit features to a greater extent than the unions in this country. Strike benefits are paid by most American unions to workers out on a strike duly authorized by the national union as has been brought out in the chapter on the *Control of Strikes*. The most varied policy is found in the Cigar Makers' International Union which pays strike, sick, death, traveling and unemployment benefits. The International Typographical Union in 1892 established the Home for Union Printers at Colorado Springs, Colo., and in 1907 adopted a pension plan for members complying with certain conditions. The Brotherhood of Locomotive Engineers have organized a mutual life and accident insurance association which owns a large business block in Cleveland, Ohio, and has been well managed. The Order of Railway Conductors have likewise a mutual insurance system. It is estimated that over five millions of dollars a year is paid by unions in this country in the way of benefits. The effect on the unions paying benefits is helpful in that a benefit system builds up and stabilizes membership, pro-

motes conservative policies by the creation of responsibility for payment, and strengthens the national union by centralizing control. The social effects are also good because based on mutual aid.

### *4. Educational Development*

A most promising tendency among trade-unions in recent years is the interest taken in education. Trade-union schools and colleges have been established in many centers. The Ladies' Garment Workers' Union established in 1916 in New York City a workers' university. The work consists largely in evening classes and lecture courses for members of the union and their families, carried on in various parts of the city. English is the favorite subject, but literature, economics and public speaking are also covered. Branches have been established in other cities. In 1919 the Workers' College of Seattle was founded by the Central Labor Council of Seattle. The Boston Trade-Union College was also organized in 1919. It is estimated that at the present writing there are no less than twenty-five trade-union colleges in various parts of the country. The first resident labor college established in this country is Brookwood College at Katonah, New York. The college was established "to serve the labor movement and through it society." The guiding principles announced are academic freedom, student self-government, and cooperative living.

Bryn Mawr College has had two consecutive summer schools for the benefit of women members of trade-unions, and the work is reported as very successful, the students manifesting a great hunger for knowledge and bringing home to their instructors the need of reality. The study of economics, history and political science by the rank and file will bring a wider outlook and thus tend to widen the scope and influence of trade-unionism.

### *5. Conclusion*

The facts brought out in this study indicate that trade-unionism is a product of industrial conditions. Development and organization in industry on the one hand has been accompanied by the development of organized labor on the other. Trade-unionism is a social movement, a product of social conditions and is in no sense the result of the work of a few irresponsible agitators. The economic history of the country shows that unionism is both necessary and inevitable. Large-scale production, the growth of corporations and the development of combination in industry and business are among the causes back of the development of unionism. The laborer needs the bargaining power coming from organization, and he also needs in other ways protection from the mercenary and unscrupulous employer. The social aspects of the case loom still larger. Society should be protected. Social interests are lost sight of by

both employer and laborer. The rights of capital and the rights of labor are stressed by each side, but it should be remembered, that there is no right which does not have its opposite in the way of duty. When both employers and organized labor are stubborn and unyielding, the general public is beginning to say: "A plague on both your houses." Social interests should be considered in the settlement of all difficulties between employers and employees, both sides should set their houses in order. Too much power on either side is injurious to public welfare. Most trade-unionists have learned that violence and intimidation alienate public sympathy because law and order are necessary in government. The power to discharge is a powerful weapon in the hands of the employer and its opposite is the power to strike on the part of the laborer. Should the strike be made illegal? Should the boycott be allowed? Is peaceful picketing possible? These and similar questions arise. Trade-unionism in some form has evidently come to stay, as have also corporations and employers' associations. The great need of today seems to be their wise direction and regulation in the interests of social welfare. This can be brought about only by an impartial and thorough study of the facts. Justice and fairness should be the basis, for in the long run the welfare of the laborer and the welfare of society are inseparable.

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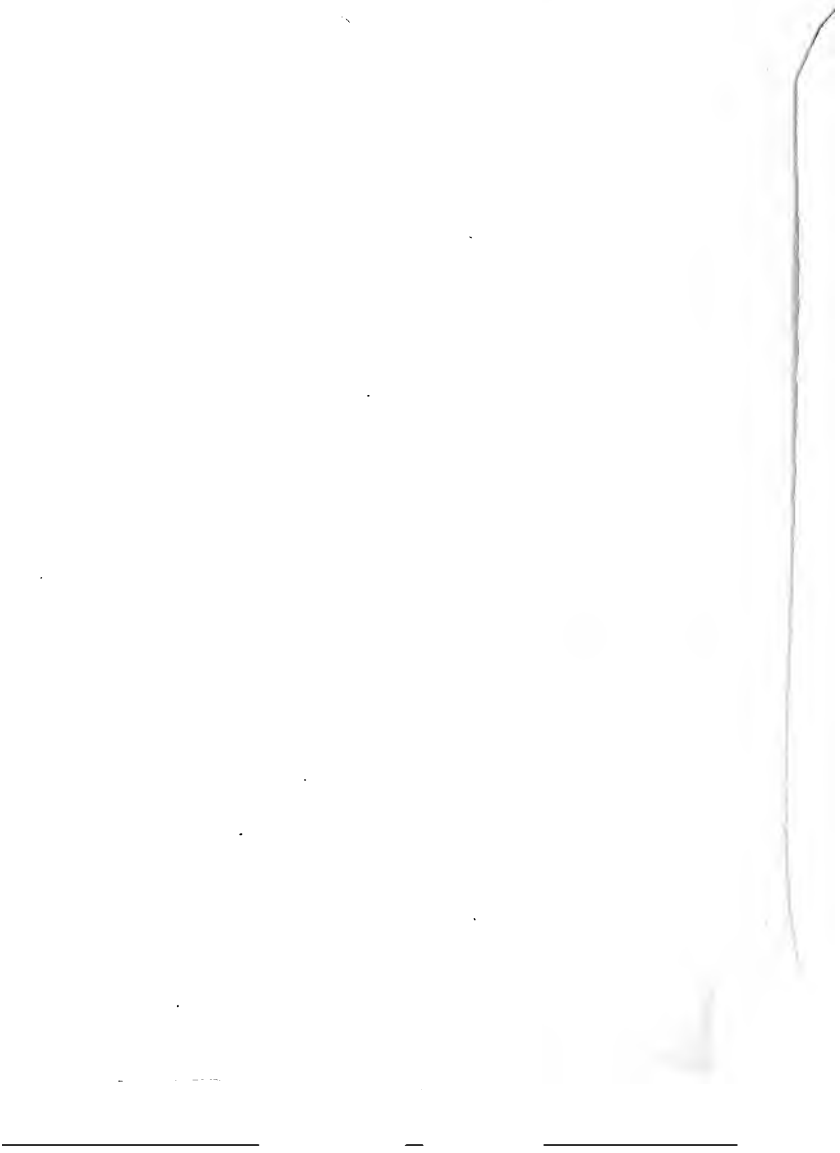
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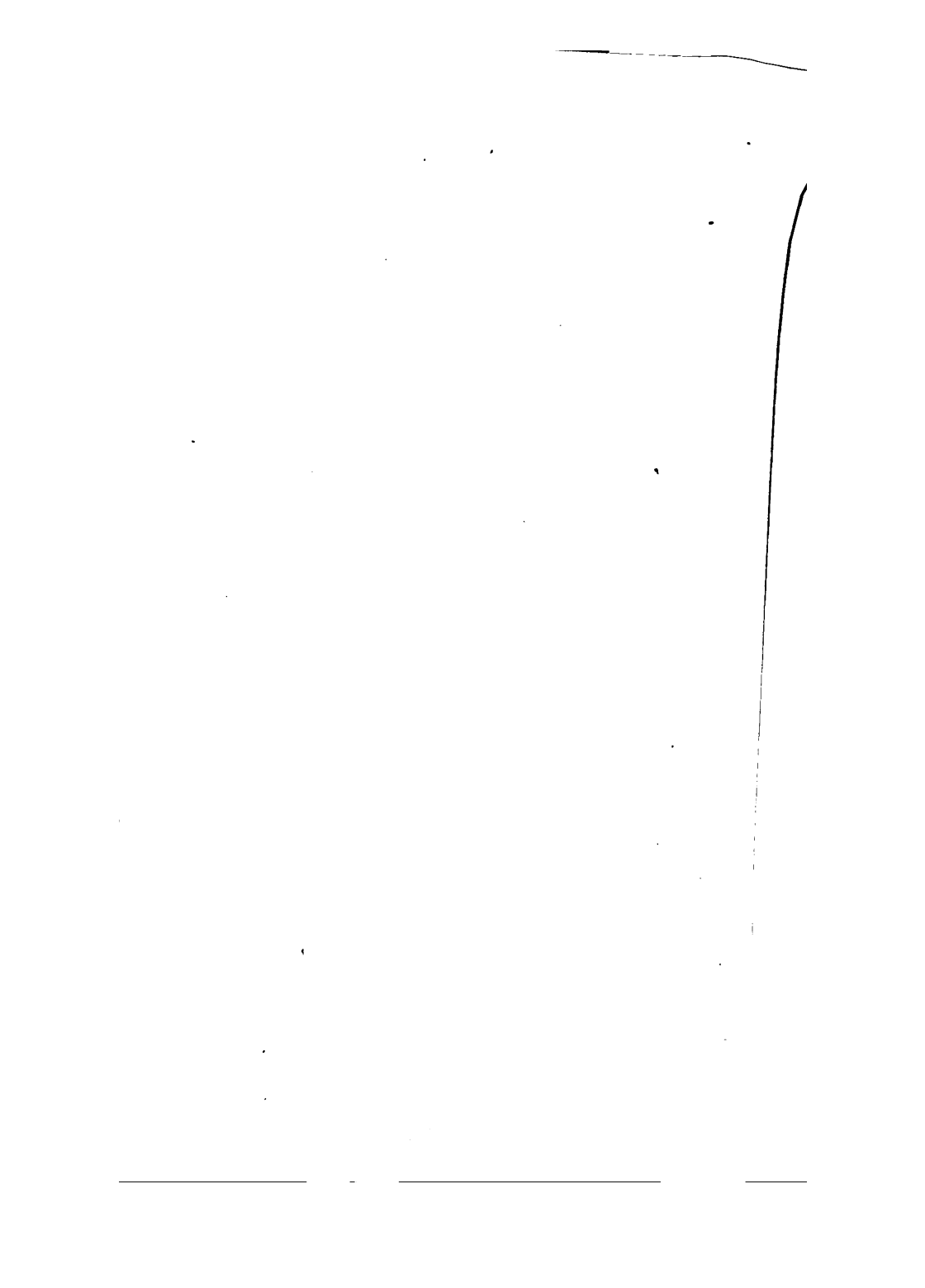
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